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 Jan 11, 2012 - Dominique Wright, accused of trying to kill **James Howard, Jr.**, stands with his attorney Michael Hanrahan while gesturing to media cameras during his trial at the ...

James Howard: Business Profiles | ZoomInfo.com
<https://www.zoominfo.com/.../Howard,James>
 Nov 30, 2017 - Find contact and company information for business people in our free business information database. This directory covers **James Howard**.


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<https://www.facebook.com/public/James-Howard>
 Oct 17, 2011 - View the profiles of people named **James Howard**. Join Facebook to connect with **James Howard** and others you may know. Facebook gives people the power ...
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James Howard - IMDb
<https://www.imdb.com/name>
 Feb 6, 2017 - **James Howard**, Actor: Survivor. **James Howard** is an actor, known for Survivor (2015), 6 Souls (2010) and Penelope (2006).
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Wheeling History > Wheeling Hall of Fame: James Howard ...
www.ohiocountylibrary.org/wheeling-history
 Jan 9, 2009 - Wheeling Hall of Fame: **James Howard** Kindelberger ... into the field of reactors, guided missiles and engines for the Atlas, Thor, **Jupiter**, and Saturn V rockets.

Do you mean to tell me this sucker is nuclear?! | Dr. James ...
<https://jameshoward.us/2018/08/11/do-you-mean-to-tell-me-this-sucker...>
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<https://www.daciangold.com.au/site/company1/management>
 May 15, 2017 - **JAMES HOWARD**. Project Manager B.Eng (Mining Engineering) (Hons). Mr Howard is a mining engineer and holds a West Australian First Class Mine Manager's ... and **Jupiter** discoveries through feasibility, project development and mining.

Howard's Shipyard Co. - Shipbuilding History
shipbuildinghistory.com/shipyards/howard
 Aug 5, 2015 - The Howard shipyard was started in 1834 by **James Howard**, an Englishman
Jupiter, Corps of Engineers, Towboat, 120d, 99, 1912, Later Point Landing.

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EXHIBIT 30

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News

3rd November 2016

Businessman stole £426,000 from company's accounts despite being given "numerous second chances"

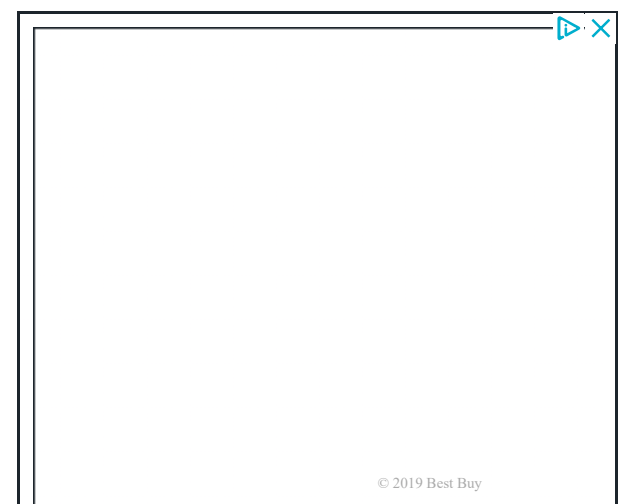
By Alex Winter



James Milton Howard-Higgins



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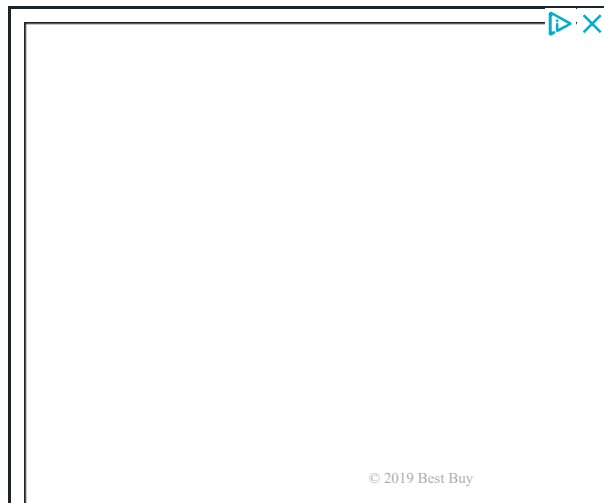
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A BUSINESSMAN has been jailed after stealing more than £400,000 from his company's accounts.

James Milton Howard-Higgins was the co-founder of Orchid Maritime Security Ltd based in Poole.

Around three years ago, it was discovered that the 44-year-old had stolen around £260,000 from the company, a consultancy practice specialising in maritime security and training solutions.

Howard-Higgins, of the Avenue in Poole, admitted the offences to the director and it was decided that the debt would be absorbed into the company.



He had his credit cards removed and his dealings with company money were closely monitored.

In November 2014 it was discovered that Howard-Higgins had taken out another company credit card in the name of a woman who had nothing to do with the business.

The matter was again dealt with internally and Howard-Higgins was forced to stand down as a director and downgrade his shares.

He was also removed as a signatory on the account in December 2014.

In April 2015 questions were raised over money not being received and outstanding invoices, the court was told.

Enquiries were made and the company director discovered that vast sums of money had been paid into Howard-Higgins' personal account. Howard-Higgins resigned and admitted stealing the money. In total, £426,406 was stolen.

The matter was reported to [Dorset Police](#) and Howard-Higgins was arrested. He was charged in February this year.

The defendant admitted seven counts of fraud.

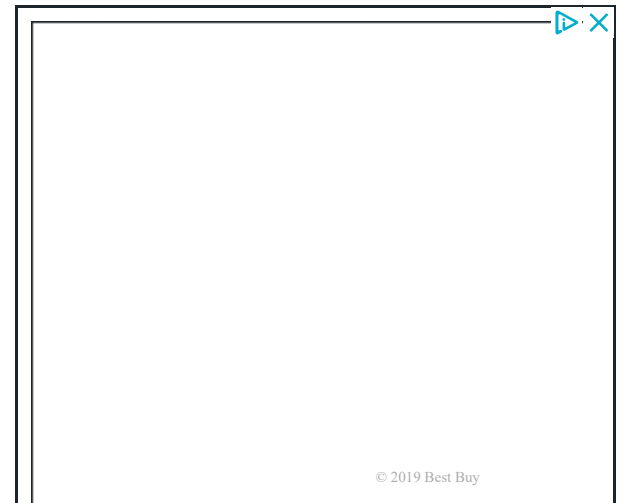
On Monday, October 31, he appeared at Southampton Crown Court and was sentenced to three years in prison.

Detective Constable Michelle Lawrence, of Bournemouth CID, said: "James Howard-Higgins systematically stole from his business partner over a sustained period of time despite being caught in the act and given numerous second chances.

"He selfishly abused his position of trust and I hope the sentence given will act as a reminder that anyone convicted of fraud offences will be dealt with robustly by the courts."



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15th July

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By Jade Grassby | [@JadeDailyEcho](#)



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By [Jim Durkin](#)



Young boy, aged 12, charged with possession of knife following 'disturbance' at bus station

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17 'I don't think he ate for a couple of days, which for an athlete is not good'

19 GALLERY: Bournemouth Marathon Festival Supersonic 10k

2 Bloodied man who staggered into Winton's KFC had been stabbed repeatedly with shattered wine bottle

4 This is what's on offer in the Lidl and Aldi 'Aisle of Dreams' this week

6 Claims dogs are being stolen from Tuckton and used as bait by 'gang in white Nissan van' are just rumours, police say

8 GALLERY: Thousands take part in Bournemouth Marathon Festival marathon and half-marathon

10 Ryanair flight due to land at Bournemouth Airport diverted to Bristol due to "technical issue"

12 3,500 Bournemouth residents can register for Vodafone's extra-fast gigabit broadband

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EXHIBIT 31

EXHIBIT 31

TECH

Elon Musk Hired A Convicted Felon To Investigate The Cave Rescuer Who Is Now Suing Him

The Tesla CEO paid James Howard-Higgins more than \$50,000 to look into a man he thought was a pedophile. Musk, however, failed to examine Howard-Higgins' past.

By Ryan Mac and Mark Di Stefano



Reporting From
London

Posted on October 3, 2019, at 3:55 p.m. ET



Jim Watson / AFP / Getty Images

Case 2:18-cv-08048-SVW-JC Document 79 Filed 10/07/19 Page 15 of 129 Page ID #:1766

When Elon Musk publicly called a British cave rescuer who had insulted him a “pedo guy” last year, the billionaire entrepreneur had no evidence to back up his claims. And while he later apologized for the outburst, the Tesla Motors and SpaceX CEO went on to hire a private investigator to dig up dirt that might support his unsubstantiated accusation.

BuzzFeed News has found that the self-proclaimed private investigator whom Musk hired was a convicted felon and scammer.

Public records and interviews reveal that the man Musk contracted, James Howard-Higgins, stole money from his business partners and was sentenced to three years in prison for fraud. Past associates of the man described the Englishman to BuzzFeed News as a “Walter Mitty character” who repeatedly defrauded a company he cofounded despite disciplinary actions that were meant to keep him in check.

Recently released court documents from a defamation case in US federal court show that Musk retained Howard-Higgins after the self-proclaimed investigator cold-emailed him offering to “dig deep” into Vernon Unsworth, a British expat who played a key role in the rescue of a boys soccer team from a Thailand cave system in July 2018.

Unsworth, who had criticized Musk’s efforts to involve himself in the cave rescue, is now suing the billionaire for publicly calling him a pedophile and “child rapist,” an allegation partly based on unsubstantiated information given to him by Howard-Higgins.

Musk’s failure to effectively vet a private investigator he hired and his willingness to repeat serious and unfounded allegations against Unsworth are the latest in a series of public blunders for Tesla’s CEO, whose win-at-all-costs mentality has drawn him into a number of high-profile fights with regulators, former employees, and shareholders. And it has renewed the concerns of institutional

"If I'm sitting on that board, I'd say, 'Wow, does he take similar impulsive moves when he's working on our company's strategy?'"

Public company executives should have "thicker skin," said Columbia Business School adjunct professor William Klepper, noting that Musk has a fiduciary duty not to jeopardize billions of dollars of investment in his companies by acting like a "loose cannon."

"If I'm sitting on that board, I'd say, 'Wow, does he take similar impulsive moves when he's working on our company's strategy?" he said.

Musk and members of his staff did not respond to multiple requests for comment.

With Musk facing a defamation suit from Unsworth, court documents prepared for his defense show that he and the head of his family office explicitly retained Howard-Higgins to find information that might support Musk's claims that the cave rescuer was a pedophile. But these same documents also show that the billionaire entrepreneur's staffers did little to vet the investigator, a 47-year-old man from Dorset in southwest England, who served 18 months of his three-year sentence in October 2016 for stealing more than £426,000 (about \$525,000) from his company, Orchid Maritime Security Ltd.

As a cofounder of Orchid Maritime, a private maritime security company based in the English seaside town of Poole, Howard-Higgins worked on sales and marketing, according to former business associates. Those associates told BuzzFeed News they noticed large amounts of money missing from company accounts and suspected



James Howard-Higgins

Courtesy of Bournemouth CID

They were right. A local press report describing the incident noted that Howard-Higgins confessed to stealing around £260,000 (\$320,000), though the company forgave their cofounder and absorbed the debt he'd accumulated.

Following that incident, Howard-Higgins opened a credit card for the business under another person's name and began racking up debt again, according to the report. After Orchid Maritime busted and

disciplined him a second time, Howard-Higgins began directing

BuzzFeed News

company funds into a personal account.

Elon Musk Hired A Convicted Felon To Investigate The Cav

Exhibit 31
Page 555

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“James Howard-Higgins systematically stole from his business partner over a sustained period of time despite being caught in the act and given numerous second chances,” a detective constable wrote at the time of his arrest in 2016. “He selfishly abused his position of trust.”

Charged with 14 counts of fraud, Howard-Higgins pleaded guilty to seven. He did not respond to multiple requests for comment.

In a statement to BuzzFeed News, Mark Wood, another Orchid Maritime cofounder, likened his former business partner to Walter Mitty, a fictional character known for indulging in fantastic daydreams about himself, and called him “manipulative, persuasive and coercive.”

“The enormity of his deception and fraudulent actions within the business led me to call in the police,” he said.

“With a prison record it ought to be difficult to continue in this same line of business,” Wood added. “Sadly it appears not to be the case.”

“You May Want to Dig Deep”

After being released from prison and barred from directorship of any UK-registered company for 10 years, Howard-Higgins revived an old venture he called Jupiter Military & Tactical Systems. There is no UK registration for the company, and sources close to Howard-Higgins described Jupiter as little more than an email account and a website.

On July 17, 2018, the same day Musk had declared Unsworth a “pedo guy” for calling a mini submarine the billionaire contributed to the Thai cave rescue effort “a PR stunt,” Howard-Higgins reached out to the Tesla CEO from a Jupiter email address.

“You may want to dig deep into Mr. Unsworth[‘s] past to prepare for

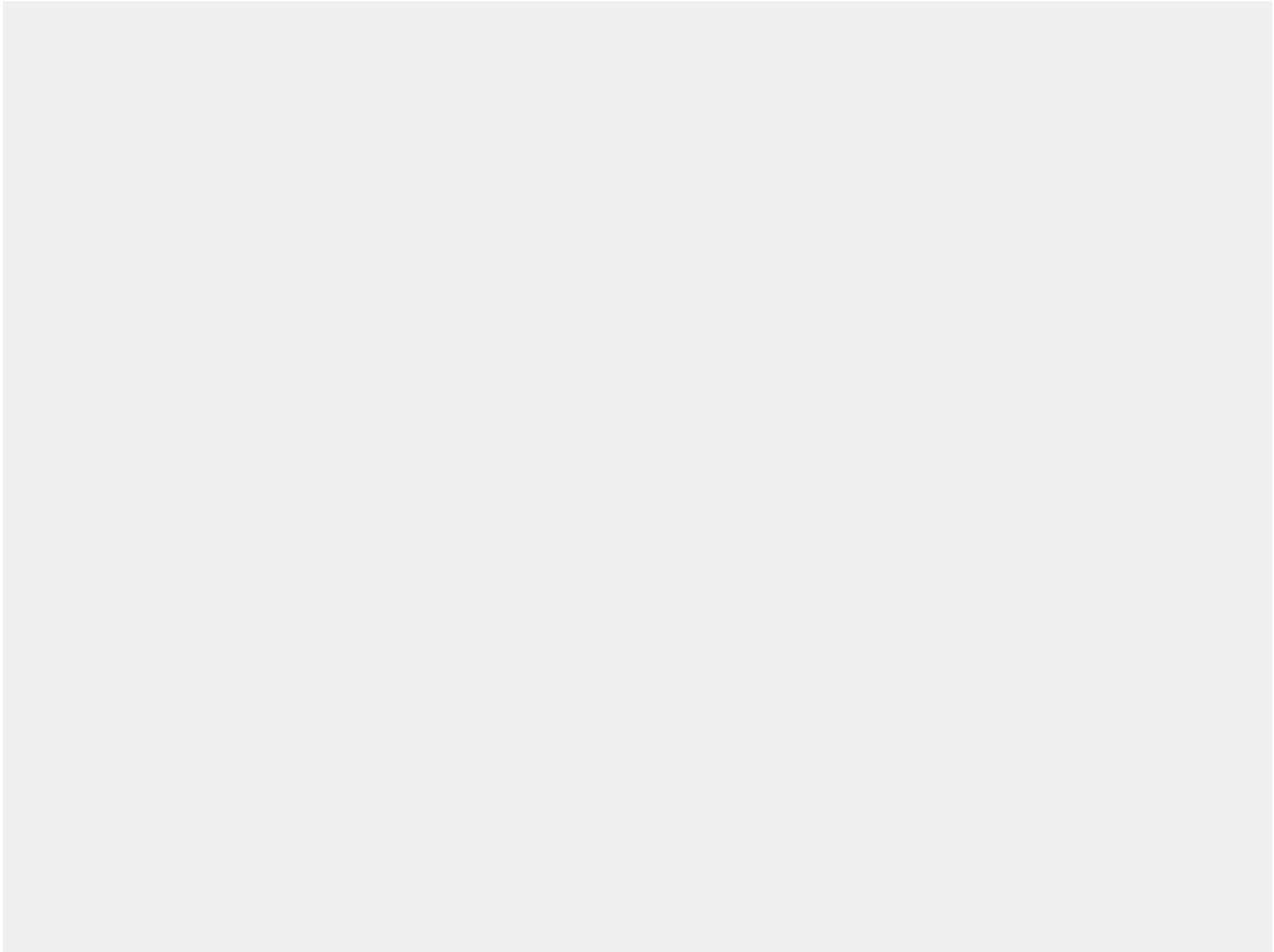
his defamation claim,” he wrote in a note that was forwarded to

BuzzFeed News

Elon Musk Hired A Convicted Felon To Investigate The Cave

Musk’s personal assistant and then his chief of staff, Sam Teller. **Exhibit 31** **Page 556**

“No smoke without fire!” he added.



James Howard-Higgins

Provided to BuzzFeed News

In early August of that year, Musk received a legal threat from Lin Wood, an attorney representing Unsworth, notifying the billionaire that the cave rescuer had retained counsel and was preparing a libel suit. Shortly thereafter, around Aug. 15, Musk directed Jared Birchall, the head of his family office, Excession LLC, to retain “James Howard” according to Birchall’s sworn declaration in the Unsworth defamation case.

“appeared to be credible” based on information given to him by Birchall, who was communicating with the investigator using the alias “James Brickhouse.” In emails sent by Howard-Higgins to Birchall, he claims to have spent 11 years in the UK special forces and two years with the United Kingdom’s security services with additional work for the likes of billionaires George Soros and Paul Allen.

A representative for Soros found no evidence that Howard-Higgins had done work for the financier or his related companies. One former colleague said the only connection between Howard-Higgins and Soros was that his uncle had done “property work” for the Hungarian American billionaire. Vulcan Inc., the investment and philanthropy office of the now-deceased Allen, did not respond to a request for comment.

Former colleagues disputed Howard-Higgins’ characterization of his military record. Mark Wood, his former business partner, said, “[Howard-Higgins] categorically never served in the police, military or any intelligence services.” The UK’s Home Office did not respond to questions about Howard-Higgins.

According to [a web archive from August 2018](#), Jupiter’s now-defunct website — which featured a black and white phoenix symbol used by several gamers and a London-based electronic music producer — said the company provided bespoke “Government Police and Military Training Solutions,” and listed a PO box in Doha, Qatar, and an address in Berkeley Square, an upmarket area of Mayfair in London. In reality, the UK address is used by one of Howard-Higgins’ former business associates, who told BuzzFeed News the location is the registered headquarters of his current company, and not linked to Howard-Higgins.

It appears that Birchall and Musk were not aware of any of this. After

Case 2:18-cv-08048-SVW-JC Document 79 Filed 10/07/19 Page 21 of 129 Page ID #:1772
Higgins, Birchall “believed Mr. Howard to be a capable and credible investigator” and agreed to hire him for around \$50,000. Meanwhile, Howard-Higgins was already feeding him unsubstantiated theories about Unsworth.

“The target is unlikely to have a history of offending in the UK as this would already have come to the surface but I think like others that his motivations for residing in Thailand may unearth some unsavoury practises and relationships,” Howard-Higgins wrote to Birchall.

Project Rowena

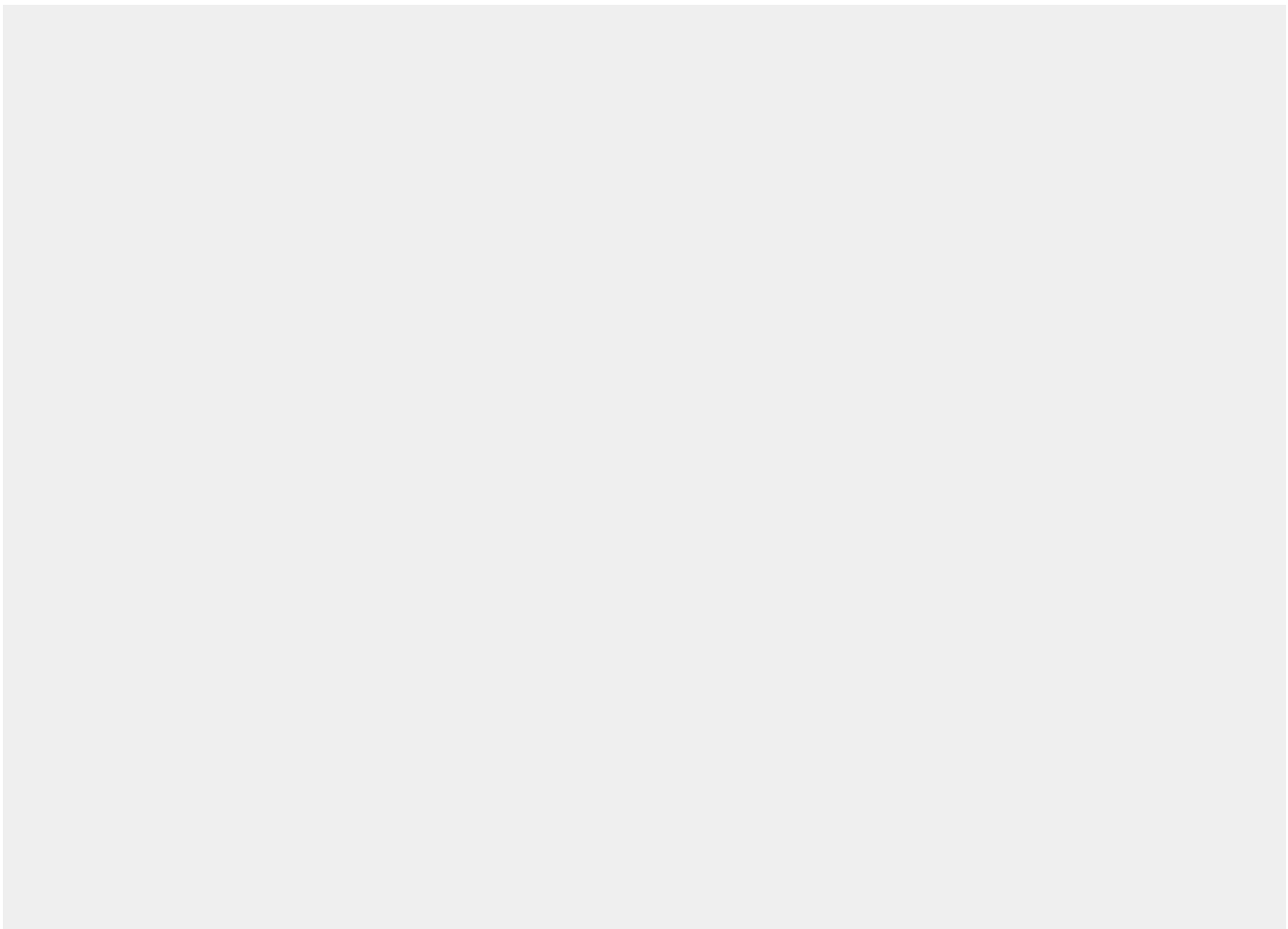
The pair began regular contact on what they called “Project Rowena” — according to two sources, Howard-Higgins’ girlfriend is named Rowena. Birchall, posing as Brickhouse, would call or email Howard-Higgins, and relay whatever information he was given back to Musk.

In email correspondence detailed in the court documents, Howard-Higgins’ made innuendo-laden claims about Unsworth and his associates, without providing any evidence to back them up.

"We aren't looking to frame anyone"

“Early feedback on the target is there is indeed an unpleasant undertone to some of his lifestyle choices,” he wrote in an Aug. 17, 2018, email to Birchall. “There is no question that the target 'associates' locally with Europeans who enjoy 'Thai comforts' that are not acceptable in a developed society.”

Birchall then followed with an email on Aug. 27, according to legal exhibits, asking for more explicit and exact details on Unsworth. Claiming that there were “planned attacks in the media and/or a lawsuit,” he sent a list of 14 specific questions asking for information about a possible divorce in the UK and whether Unsworth’s Thai



Vernon Unsworth with his MBE following an investiture ceremony at Buckingham Palace on June 12 in London.

Wpa Pool / Getty Images

There is no evidence to suggest that Unsworth or his friends in Thailand behaved in the ways Howard-Higgins alleged.

Birchall did not respond to an emailed request for comment.

In his statement to the court, Birchall recalled that shortly after he retained Howard-Higgins, the investigator told him there was a Thai news article that claimed Unsworth’s Thai partner said she first met him when she was 11 or 12. Birchall said he reported those details to Musk.

But court documents include no evidence of the Thai news clipping.

BuzzFeed News

Elon Musk Hired A Convicted Felon To Investigate The Cav

Howard-Higgins allegedly described to Birchall, and BuzzFeed News

Exhibit 31
Page 560

was unable to find it. Moreover, two documents Howard-Higgins sent to Birchall explicitly note that the investigator had not confirmed the age of Unsworth's partner. In an Aug. 27 email, for example, Howard-Higgins color-codes her age as something he is "in the process of verifying."

"Mr Unsworth is 63 years old," Howard wrote in a different, more formal report dated on Aug. 30, 2018 that was included in the defamation case's filings. "His wife we believe is 30, (we will confirm this in the next 48hrs) which would have put her at 18/19 when they first met. The target would have been 52 yrs old at the time."

In September of last year, Unsworth's longtime partner, Woranan Ratrawiphukkun, told BuzzFeed News she was actually 40. Lin Wood, Unsworth's attorney, said in a statement to BuzzFeed News that the cave rescuer is not technically married to Woranan, but that he consider her his "partner and companion."

"I have faith in what Jared was conveying to me was an accurate retelling of this guy."

It is not yet clear if Howard-Higgins ever managed to establish the true age of Unsworth's partner. But it is obvious that the unsubstantiated, caveated claims he fed to Birchall made their way to Musk, who viewed it as proof of his allegations and eventually told a BuzzFeed News reporter over email that Unsworth was a "child rapist" who took a child bride. Attorneys for Musk and Unsworth have both requested testimony from BuzzFeed News.

"I have faith in what Jared was conveying to me was an accurate retelling of this guy," Musk said in a deposition earlier this summer. In further questioning by Unsworth's lawyers, the billionaire also made it clear he never verified the information before relaying it to a reporter.

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“I just — I’d just been informed of a bad fact pattern,” he said. “It seems like if a journalist cares about finding what’s going on, they should go find out what’s going on. This is what I’ve been told. May or may not be true; please investigate.”

Musk sent the email with supposed information about Unsworth to a BuzzFeed News reporter on Aug. 30, 2018.

“I suggest that you call people you know in Thailand, find out what’s actually going on and stop defending child rapists, you fucking asshole,” he wrote. “He’s an old, single white guy from England who’s been traveling to or living in Thailand for 30 to 40 years, mostly Pattaya Beach, until moving to Chiang Rai for a child bride who was about 12 years old at the time.”

Musk has since defended his behavior by claiming “pedo guy” is South African slang for a creepy guy (though that’s been disputed) and arguing that he went after Unsworth because he feared he might be another Jeffrey Epstein. BuzzFeed News and Vanity Fair have since reported that Musk had been to several events with Epstein following the financier’s 2008 guilty plea for soliciting prostitution from an underage girl, and visited his house “several years ago.”

Unsworth’s lawyer said in a statement that the documents released thus far in the case only tell Musk’s side, and that cave rescuer’s response to the defense’s motion for a dismissal of the case will reveal much more about “the falsity of his public statements.”

“Mr. Unsworth’s response will focus on the actual sworn testimony and documents developed in this case rather than the manufactured misrepresentations, half-truths, omissions and smear tactics presented by Musk in his motion,” Wood said. “In sum, Musk had no credible or verified information at any time that supported his false

accusations that Mr. Unsworth was a pedophile, a child rapist who



Photos posted to James Howard-Higgins' girlfriend's private Instagram account after Elon Musk was sued last fall show the Brit traveling through the Middle East, visiting Wimbledon, staying at resorts, and eating at steakhouses.

Provided to BuzzFeed News / Via Instagram

With their response to Musk's motion to dismiss the case for summary judgment expected next week, Unsworth's legal team has dug in, seeking depositions from current and former executives at the billionaire's companies and close confidants. Meanwhile, little has been heard from Howard-Higgins. In a statement, Wood said he has been unable to locate the British man for questioning.

Photos posted to his girlfriend's private Instagram account after Musk was sued last fall show Howard-Higgins traveling through the Middle East, visiting Wimbledon, staying at resorts, and eating at steakhouses. That lifestyle, however, seems to have come to an end.

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According to multiple sources, Howard Higgins also recently violated the terms of his parole. Musk's private investigator is back in jail serving the remainder of his three-year sentence.



Ryan Mac is a senior tech reporter for BuzzFeed News and is based in San Francisco.

Contact Ryan Mac at ryan.mac@buzzfeed.com.

Got a confidential tip? [Submit it here](#).



Mark Di Stefano is a media and politics correspondent for BuzzFeed News and is based in London.

Contact Mark Di Stefano at mark.distefano@buzzfeed.com.

EXHIBIT 32

EXHIBIT 32

From: Sam Teller [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3BBD889935194BE5BF3603B89339F2AE-SAM TELLER]
Sent: 7/15/2018 10:34:11 AM
To: Dave Arnold [dwarnold@tesla.com]
CC: Laura Hardy [lhardy@tesla.com]; Sarah O'Brien [sobrien@tesla.com]
Subject: Re: Media Enquiry re: CEO

Yeah

On Jul 15, 2018, at 12:04 PM, Dave Arnold <dwarnold@tesla.com> wrote:

We should definitely just ignore these inquiries.

From: Laura Hardy <lhardy@tesla.com>
Sent: Sunday, July 15, 2018 10:03 AM
To: Dave Arnold
Cc: Sam Teller; Sarah O'Brien
Subject: Re: Media Enquiry re: CEO

Thanks both.
Follow up email with a question to understand their narrative -

'I'd like to ask for clarification on whether the CEO, Mr Musk is accusing Vernon Unsworth of being a paedophile.'

Sent from my iPhone

On 15 Jul 2018, at 17:41, Dave Arnold <dwarnold@tesla.com> wrote:

We're getting multiple inquiries this morning. I'm ignoring.

From: Sam Teller <steller@tesla.com>
Sent: Sunday, July 15, 2018 9:00 AM
To: Laura Hardy
Cc: Sarah O'Brien; Dave Arnold
Subject: Re: Media Enquiry re: CEO

Yeah, unfortunately I think we are just stuck not commenting today. Will let you know if I get anymore.

On Jul 15, 2018, at 10:51 AM, Laura Hardy <lhardy@tesla.com> wrote:

FYI this is getting picked up here. We got cut off (bad signal at Goodwood) and I haven't managed to get him back on the phone but assuming we are leaving it at the tweets - regardless of his questions. Let me know if you want me to send him anything.
Thanks
Laura

Sent from my iPhone

Begin forwarded message:

From: "Martin, Alexander (Technology Reporter)" <aj.martin@sky.uk>
Date: 15 July 2018 at 15:55:41 BST
To: "lhady@tesla.com" <lhady@tesla.com>
Subject: Media Enquiry re: CEO

Hi Laura,

I hope you're okay. Our phone-call cut off just now. Please may you let me know if you're the correct person to reach out to regarding enquiries about the Tesla CEO Mr Musk's statements on Twitter regarding the British divers who live in Thailand? [1]

With my sincerest thanks for your time,
Alexander

[1] <https://twitter.com/elonmusk/status/1018494440648859648>

Alexander J Martin

Technology Reporter | Sky News Online

Address: Sky Studios, 2nd Floor, Grant Way, Isleworth TW7 5QD
Phone: +44 (0)207 032 6114 | Signal: +44 (0)7970 376 704
Twitter: @AJMartinSky
<image001.png>

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EXHIBIT 33

EXHIBIT 33

From: James Brickhouse
Sent: Tue 8/28/2018 9:48 AM (GMT-07:00)
To: "Jupiter Private" <info@jupiter-private.com>
Cc:
Bcc:
Subject: Re: Target visit to 10 Downing Street
Attachments: PastedGraphic-600001.tiff; image00200002.jpg; PastedGraphic-600003.tiff; image00200004.jpg

Ok, thank you for this information. We would like you to immediately move forward with 'leaking' this information to the UK press. Obviously must be done very carefully.

The line of thinking at this point is as follows:

- Thailand is the world capital of pedophilia
- This man has frequented Thailand since the 80's - eventually leading to his divorce to his wife in the UK.
- While the guise of cave exploration is creative, there are amazing and extensive caving systems in many places throughout the world - not just in Thailand. Even the most ardent supporter of Thai food doesn't eat Thai food every day.
- He eventually woman 30 years his minor - whom he met while she was a teenager.
- He had been going to Thailand for decades before marrying her. She wasn't the first girl he met - and definitely not the first teenager he interacted with.

Share the facts and as you said, that should be enough for a story.

But we'd like to make this happen immediately.

On Tue, Aug 28, 2018 at 2:48 AM Jupiter Military & Tactical Systems <info@jupiter-private.com> wrote:

Jim,

Please see below the image of the Target's visit to 10 Downing St. I have spoke to David, one of my EP Leads this morning who spent 20+ yrs in the Met Police & the last 10 yrs with the SO1 Royal Protection Group and he reached out to former colleagues too confirm hat all visitors to the the PM's office would go through 'DV' discreet vetting. Principally avoid any embarrassment to the UK Gov. I am certain that the Target would not have had an invitation extended if there was anything on his UK record.

At the event, also attended by the Thai Ambassador Mr Pisanu Suvanajata, Among those attending with their families was John Volanthen, one of the British divers who was part of the team which first discovered the boys. He was also one of the three divers who went out as the initial team and who helped place guides in the cave to assist others in navigation.

Also at the event was Robert Harper, who was part of the team which pinpointed the boys' exact location, and Vernon Unsworth, who first alerted cave divers in the UK to the situation in Thailand.



Kind regards,
James

CEO - Qatar & UAE
Jupiter Military & Tactical Systems
Al Saad – Area 38
Street No. 893, Building No. 7
P.O. Box 22509 Doha
State of Qatar
+44 (0) 7917 401601
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EXHIBIT 34

EXHIBIT 34

Subject: Fwd:
From: Dave Arnold <"/o=exchangelabs/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=29df0a7448f04984910ec59f5077bd85-dave arnold">
Date: Wed, 05 Sep 2018 16:40:27 -0700
To: Sam Teller <steller@tesla.com>

I do think we should change his email address...

From: Juleanna Glover <juleanna@ridgelywalsh.com>
Sent: Wednesday, September 5, 2018 4:34 PM
To: Dave Arnold; Sam Teller; Sarah O'Brien
Subject: Fwd: Re:

RidgelyWalsh.com
202.288.2076

Begin forwarded message:

From: Elon Musk <erm@tesla.com>
Date: September 5, 2018 at 4:45:17 PM EDT
To: Juleanna Glover <juleanna@ridgelywalsh.com>
Subject: Re:

Yup

On Sep 5, 2018, at 1:06 PM, Juleanna Glover <juleanna@ridgelywalsh.com> wrote:

The podcast can be very long (3 hrs for Tyson for ex) so pick a hard stop time. Joe doesn't interrupt much so he will let you roll (he is funny and he curses on air as no FCC rules for podcasts). Pls figure out what you want to say about the SEC matters? If you want to say more than is out there or not. Your attorneys should be in loop on what you plan to say. I don't imagine Joe will push you on that but just be ready, so you don't make the investigation harder? Also pls pls pls pls if Thai diver comes up pls just say you think you have gotten into enough trouble on that already and are not going to say more?

From: ERM <erm@tesla.com>
Date: Wednesday, September 5, 2018 at 3:49 PM
To: Juleanna Glover <juleanna@ridgelywalsh.com>
Subject: Re: Fwd:

No, it's because a lot of people I trust have recommended that I do this.

On Sep 5, 2018, at 4:40 AM, Juleanna Glover <juleanna@ridgelywalsh.com> wrote:

Ok - Joe Rogan it is! Is it because deGrasse Tyson just did the podcast?

RidgelyWalsh.com

202.288.2076

On Sep 4, 2018, at 6:35 PM, Elon Musk <erm@tesla.com> wrote:

Absolutely. Will have to change my email address.

On Sep 4, 2018, at 3:22 PM, Juleanna Glover <juleanna@ridgelywalsh.com> wrote:

You need to ask your teams to do this stuff. Where the facts merit, the stories will come out. It will often take longer than you want but if it can be done - ethically and appropriately - it will get done.

Reporters are now sharing your email address with each other so pls let us take the queries unless you know and deeply trust the writer. You will continue to get more notes trying to bait you.

RidgelyWalsh.com

202.288.2076

On Sep 4, 2018, at 6:14 PM, Elon Musk <erm@tesla.com> wrote:

Completely agree. I was told about a lot of bad things this guy did and was upset that no one cared to investigate, so responded in what I felt was off the record. In the past, Buzzfeed has respected emails prefaced with "off the record", but this time they did not. It was still one of the dumbest things I've ever done and this distraction couldn't come at a worse time.

On Sep 4, 2018, at 3:07 PM, Juleanna Glover <juleanna@ridgelywalsh.com> wrote:

We may have to have you do something on the record again soon. We just need to kill this nonsense, speculation around your mental state. Will work with the team to come up with strategic options that present you at length - leading the companies, in charge, droll and self-aware. That in mind, in no universe is it OK for you to continue to contemplate the sexual predilections of a Thai driver who insulted you on TV. The facts will come out and you can revisit then.

RidgelyWalsh.com

202.288.2076

On Sep 4, 2018, at 5:54 PM, Elon Musk <erm@tesla.com> wrote:

Yes, this is extremely bad. I didn't expect Buzzfeed to publish an off the record email. My intent was to have them investigate and come to their own conclusions, not publish my email directly.

There is a lot of incriminating evidence about this guy if journalists just bloody well look. I was told that he spent ~30 years traveling several months each year to Thailand, including spending a large part of that time at known underage "sex hotels" in Pattaya Beach. There are no caves of note in the area and he had no business reason to be there.

Still, I'm a fucking idiot.

On Sep 4, 2018, at 2:43 PM, Juleanna Glover <juleanna@ridgelywalsh.com> wrote:

You know all the below already. He is a serious guy who does impactful work on climate and it is killing him to see your impact diminished. You do have good people to handle all of these queries (though the Thai diver matter really should just be handled by counsel - forever or until discovery yields proof of illegality).

Twitter feed last 6 days though is 🤖

RidgelyWalsh.com

202.288.2076

Begin forwarded message:

From: Jeff Nesbit <jeffnesbit@gmail.com>
Date: September 4, 2018 at 5:21:17 PM EDT
To: juleanna@ridgelywalsh.com
Subject: What can I do to help?

I know I'm a broken record...but why is he emailing with a news organization himself like this? He absolutely SHOULD NOT be doing this sort of direct media outreach himself. It clearly blew up in his face, for no good reason. Who on his staff can handle this for him? One or two more of these and I can guarantee that there will be a no confidence vote on the BOD led by the big institutional investors. And he will not survive such a vote, at least not in the public sphere. I will help you however you tell me to help.

<https://www.buzzfeednews.com/article/ryanmac/elon-musk-thai-cave-rescuer-accusations-buzzfeed-email>

Sent from my iPhone

EXHIBIT 35

EXHIBIT 35

DAVIS WRIGHT TREMAINE LLP

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Telephone: (212) 489-8230
Facsimile: (212) 489-8340

Attorneys for Non-Party Journalist
Ryan Mac

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VERNON UNSWORTH,

Plaintiff,

vs.

ELON MUSK,

Defendant.

Case No. _____
(C.D. Cal. No. 18-cv-08048-SVW-JC)

**DECLARATION OF RYAN MAC IN
SUPPORT OF MOTION TO QUASH
SUBPOENA ISSUED FROM A CIVIL
CASE PENDING BEFORE THE UNITED
STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA
AND SERVED ON NON-PARTY
JOURNALIST RYAN MAC**

Hearing Date: October 18, 2019
Hearing Time: 9:00 a.m.

1 I, RYAN MAC, declare under penalty of perjury pursuant to the laws of the United States
2 of America:

3 1. I am a reporter for BuzzFeed News (“BuzzFeed”) and am based in BuzzFeed’s San
4 Francisco office. I make this declaration based on my personal knowledge and submit this
5 declaration, together with the exhibits annexed hereto, in support of the accompanying motion to
6 quash subpoenas (the “Subpoenas”) that were served on me by plaintiff Vernon Unsworth and
7 defendant Elon Musk in an action currently pending before the United States Court for the Central
8 District of California. *Unsworth v. Musk*, Case No. 18-cv-08048-SVW-JC (C.D. Cal.) (the
9 “Defamation Action”). I am not a party to the Defamation Action.

10 2. On June 21, 2018, BuzzFeed published an article that I wrote with two other
11 BuzzFeed reporters entitled “Elon Musk Has Always Been at War with the Media” (the “Musk at
12 War” Article), a true and correct copy of which is annexed hereto as Exhibit A.

13 3. On August 29, 2018, BuzzFeed published an article I wrote entitled “The Cave
14 Rescuer Elon Musk Called A ‘Pedo’ Has Lawyered Up And Is Preparing A Libel Claim” (the
15 “August 29 Article”), a true and correct copy of which is annexed hereto as Exhibit B.


16 4. On September 4, 2018, BuzzFeed published an article I wrote entitled “In a New
17 Email, Elon Musk Accused a Cave Rescuer of Being a ‘Child Rapist’ and Said He ‘Hopes’
18 There’s a Lawsuit (the “September 4 Article”), a true and correct copy of which is annexed hereto
19 as Exhibit C.

20 5. The September 4 Article republishes two emails that Musk sent me on August 30,
21 2019. As the September 4 Article reports, the first email was not “off the record” because
22 “BuzzFeed News did not agree to that condition of the correspondence” and the second email was
23 not “on background” because “BuzzFeed News again did not agree to those terms.”

24 6. I have never spoken with Musk (either in person or telephonically). Upon information
25 and belief, all of my written communications with Musk are available to Musk.

26 I declare under penalty of perjury under the laws of the United States of America that
27 the foregoing is true and correct. Executed this 12th day of September, 2019 at San Francisco,
28 California.

DAVIS WRIGHT TREMAINE LLP


Ryan Mac

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EXHIBIT A

BuzzFeed News

REPORTING TO YOU



TECH

Exhibit 35

Page 586

Elon Musk Has Always Been At War With The Media

Some say Musk's paranoia and late-night Twitter rants reveal a billionaire cracking under pressure. But those who know him best say this is nothing new.



Caroline O'Donovan
BuzzFeed News Reporter



Charlie Warzel
BuzzFeed Staff



Ryan Mac
BuzzFeed News Reporter

Posted on June 21, 2018, at 6:34 p.m. ET

No one lectures Elon Musk. In April, the head of the National Transportation Safety Board discovered this after a call about his organization's investigation into one of Tesla Motors' autopiloted vehicles devolved into a heated exchange, leading the billionaire entrepreneur to hang up on the federal regulator. That fiery interaction eventually leaked to the press and ricocheted around the internet as further evidence that Musk was losing it.

As BuzzFeed News has learned, it wasn't even the first time that Tesla's CEO had gone off on a federal organization investigating one of his companies. Yet taken together with his other antics and problems of

2018, the shocking behavior was viewed by some pundits as a prime example of Musk cracking under pressure.

But the thing is: None of this is new for Musk. He has always been the architect of his own image and has long run roughshod over journalists and his own communications team alike. In interviews with BuzzFeed News, nine people who previously worked with Musk, and who requested anonymity to preserve their personal and professional relationships, said that while the level of scrutiny on the CEO may be new, his behavior is not. What we are seeing is less a crack in his well-being than his facade. It is Elon unbound.

In response to questions from BuzzFeed News, a Tesla spokesperson said, “This sounds like a very exciting story and we can’t wait to read it. Buzzfeed is the best!”

“This sounds like a very exciting story and we can’t wait to read it. Buzzfeed is the best!”

Undeniably, the pressure is on. Tesla, one of three companies the 46-year-old Musk runs, has been beset by problems. It is behind on production of its latest car, the Model 3; the short interest in its stock totals

more than \$13 billion; and news outlets, including this one, have asked questions about its treatment of factory workers, lax safety measures, and Autopilot technology that doesn't quite live up to its name.

In reaction, Musk has gone on the offensive, lashing out in public at his perceived enemies — largely in the press. “The holier-than-thou hypocrisy of big media companies who lay claim to the truth, but publish only enough to sugarcoat the lie, is why the public no longer respects them,” Musk said on Twitter last month during a spat of bad press, which he dismissed as the merely the result of a bankrupt media ecosystem. “Problem is journos are under constant pressure to get max clicks & earn advertising dollars or get fired,” he tweeted.

During an earnings call, he told financial analysts their questions were “boring” and took questions from a YouTube personality instead. On Twitter, he has attacked journalists, accused his critics in the media of being in a Big Oil conspiracy, and threatened to start a public ranking of news organizations ironically named after a former Soviet Union propaganda publication. A tweet about union organizing at Tesla's California car factory landed him in hot water with both a member of Congress and the National Labor Relations Board, while his rogue hang up on the NTSB in April led to the regulator removing the company from any involvement in the

investigation. More recently, he launched an investigation into alleged sabotage by a Tesla employee, who the company is now suing.

“As you know, there are a long list of organizations that want Tesla to die,” Musk wrote in an all-staff email, in which he announced an “in depth” investigation and implored employees to “be extremely vigilant” of “anything suspicious” in the workplace.

Combined, these events prompted speculation about whether or not the billionaire CEO was losing control and invited inevitable comparisons to another wealthy leader with a predawn Twitter habit.

Musk has long raged in private at perceived enemies, especially in the media. His short temper and outbursts have long been legend inside Tesla and SpaceX headquarters, according to multiple current and former employees. “It doesn’t strike me as some drastic change in his personality,” said one former employee. “The people who are saying this is how he's always been are correct,” said another.

What’s changed is simply that Musk’s profile has risen while his staff’s ability to keep him in check has waned. As pressure continues to mount and Musk sheds the executives who once provided advice and insulation, he’s no longer just the Mars-bound genius

with a promising electric car company. Depending on who you ask, he's an icon, an environmental champion, or an attention-hungry micromanager, wielding Steve Jobs-level influence in 280-character Twitter diatribes, occasional public appearances, or mocking conference calls with analysts. But no matter which Elon you choose, it's become more apparent that there's no one who can rein him in.

For example, in June 2016 the National Highway Traffic Safety Administration had contacted Tesla as a courtesy heads-up that it would be announcing an investigation into a May crash that killed the driver of a Model S sedan on Autopilot. It was the kind of call that, at most companies, would require executive restraint and sensitivity. Musk was not originally supposed to be on the call with NHTSA officials, Tesla's general counsel, and the head of its Autopilot team, but chimed in as the conversation got underway. It was unfair that NHTSA was targeting his company, he said, noting that skeptics would just use the public investigation as evidence that Tesla was in trouble.

After failing to convince the government officials to keep their investigation private and forgo their announcement scheduled for the next day, Musk went ballistic and embarked on a profanity-laced tirade. He threatened to sue NHTSA for what he saw as unfair

scrutiny and then abruptly disconnected the phone, leaving the people left on the line shocked.

“I couldn’t believe it,” said a former Tesla employee familiar with the call.

Joshua Lott / Getty Images

“Incredibly Insulted” Musk

According to those who have worked closely with him, Musk’s recent public outbursts may have less to do with a desire to be a media critic and more to do with a long-standing business strategy, where he’s leveraged his popularity for press coverage for years. His moonshot ideas, unfiltered chatter with reporters, and direct engagement with customers have won him a legion of adoring fans.

“Historically, we have been able to generate significant media coverage of our company and our vehicles, and we believe we will continue to do so,” read one recent Tesla financial filing, alluding to its CEO’s cult of personality. “To date, for vehicle sales, media coverage and word of mouth have been the primary drivers of our sales leads and have helped us achieve sales without traditional advertising and at relatively low marketing costs.”

Indeed, Musk has always paid close attention to coverage of himself and his companies. In the early days of Tesla, he bristled when media coverage shunned him in favor of then-CEO Martin Eberhard. Emails dating back to 2006 show that even then, as a successful two-time founder of online local directory startup Zip2 and online payments firm PayPal, he was conscious of his public perception. In one email, he told Tesla’s earlier PR team that he was “incredibly insulted” when a New York Times story about the company failed to mention him.

In 2009, he called a New York Times contributor “a huge douchebag and an idiot.”

What rankles Musk the most, according to former communications employees, is anything he perceives to be inaccurate reporting — which is frequently a stand-in for any coverage that isn’t positive. Former

employees remember him being easily angered and “extraordinarily vindictive,” no matter how small the outlet or tempered the critique.

In 2009, he called a Times contributor “a huge douchebag and an idiot” in an interview for penning a piece that asked why taxpayer-backed federal loans should be used to help what was then a struggling car manufacturer. The following year, Musk wrote an essay, published in Business Insider and other outlets, comparing a reporter for VentureBeat to disgraced journalist Jayson Blair for writing about how his divorce could materially affect Tesla’s business and should have been disclosed in its initial public offering documents.

Yet as Musk’s celebrity grew he realized he no longer needed to go to news outlets to dispute negative stories. Musk has invested in building a relationship with his fans for years. He could take publications to task in company blog posts, sometimes directly drafting responses for Tesla or SpaceX himself, according to his communications staffers. Meanwhile, Twitter — where he started an account in 2009 — has become an ideal platform for activating his army of supporters. “He’s so well-known that anything he says is reported upon and analyzed,” said a person who’s worked with him.

In 2013, Musk tweeted that a Times review that said Tesla car batteries die faster in cold weather was “fake,” and published a detailed blog post refuting its points. A former employee (who didn’t work for Musk at the time) remembered thinking he had been “publicly very aggressive” toward the reporter, John Broder, and the Times, whose own public editor later found issues with the piece.

That same year, Musk also raged over news stories about Tesla car battery fires. From Musk’s perspective, former employees said, the number of Tesla battery fires was relatively minuscule in comparison to the total number of car fires per year, which number somewhere around 170,000. The perceived discrepancy in scrutiny “deeply frustrated” Musk, one former staffer said, and he focused that frustration on the media, much in the same way as he’s doing now.

This pattern has continued over the last few years. In 2015, Musk called a Wall Street Journal story on employee churn at Tesla “asinine” during a press conference in Detroit. After a story about Tesla’s foray into China from Bloomberg News reporter Dana Hull, Tesla and SpaceX communications staff were instructed to ignore her calls and emails, according to multiple sources.

One former senior employee told BuzzFeed News that Musk would stew over articles that were “largely very

fair and balanced,” messaging reporters personally or enlisting communications representatives to fight for corrections. One editor at a major US-based media outlet described the behavior as “active and aggressive,” noting that Musk’s communications representatives reached out to the highest levels of the company’s editing and business structure to complain about coverage. (That editor did not want his publication to be identified, fearing that Musk’s companies would cut off contact.)

People familiar with Musk who spoke with BuzzFeed News didn’t see much of a difference between these blowups and Musk’s recent behavior. “Pravduh.com,” Musk’s hypothetical website for crowd-ranking journalism, simply “takes an ongoing fight with the press to a new level,” said one former staffer.

Mark Brake / Getty Images

“His Own Chief Communications Officer”

This obsession with the media makes working in communications under Musk, whether at Tesla or SpaceX, an unpredictable and grueling gig. Multiple former staffers recalled being kept up late or woken up in the middle of the night because Musk was upset about a headline or an article. Two other former senior employees described Musk as notoriously thin-skinned. “He’ll read an obscure critical post by, like, some Belgian blogger at 3 in the morning and he’ll wake up people on the comms team and demand this person be crushed,” one former employee said. “It’s all utterly disproportionate in response.”

“You don’t sleep very much when you’re in communications at Tesla, because you don’t know what’s going to happen,” said another former worker.

While some CEOs expect their communications team to draft emails, write speeches, and proofread tweets, Musk’s style is totally off the cuff. People who worked with him described being afraid to contradict or correct him. Said one former employee, “My experience was is that he is his own chief communications officer.” Asked about Musk’s relationship with his communications team, a second

person who worked closely with Musk said, “What comms team? I think the comms team is just Elon.”

Another former employee recalled one of Musk’s late-night Twitter excursions in January 2012 when, unbeknownst to anyone at the company, he hinted at a separation from then-partner Talulah Riley. Hannah Elliott, then a reporter for Forbes magazine, saw the tweet the next morning and messaged Musk, leading the Tesla CEO to call her and divulge more about his personal life without notifying his communications staff. After finding out later that day, Tesla’s PR team went into damage control mode, leading Musk to call Elliott back and ask that she not use some of the more personal details that he discussed during their conversation.

More recently, Musk has clashed with his PR staff over Tesla’s communication around its cars’ driver-assistance feature, Autopilot. In May 2016, following coverage around the death of a driver in Florida whose vehicle was on Autopilot, Musk urged his team to fix the narrative with outlets honing in on the fact that that it was one of the first known automobile deaths of its kind. While he wanted his company’s response to focus on statistics — noting the seeming lower rate of fatalities on Autopilot — those internally urged Musk to be more compassionate to customers, particularly the victim.

Ultimately, Musk won out. In a blog post titled “A Tragic Loss” on June 30, the company detailed how the first known fatality on Autopilot took 130 million miles compared to an average 94 million per US driving fatality, before noting in the last paragraph that “the customer who died in this crash had a loving family and we are beyond saddened by their loss.” Musk also began defensively tweeting about Autopilot that July, focusing on the numbers and sharing examples of how Autopilot may have saved a life, while a second company blog post, cutely titled “Misfortune,” attempted to shoot holes in a story by Fortune magazine. “It felt like a cover-our- ass moment, rather than a moment to show we care about our customers,” said one former employee.

“Elon is an engineer and that’s how he views the world,” that person continued. “But sometimes he lacks that compassion and empathy.”

Three people familiar with Musk’s communications team independently compared the pressure and publicity, and chaos of the job to working in President Donald Trump’s White House.

The lack of control and continual need to put out PR fires wore on professionals, even those who personally liked Musk and believed in the missions of Tesla and

SpaceX. Tesla is known for a high rate of turnover, and some communications staffers only last a few months. Some have done multiple stints, though have left or were fired after clashing with the chief executive. Three people familiar with Musk's communications team independently compared the pressure and publicity, and chaos of the job to working in President Donald Trump's White House.

Despite the outbursts and late-night tweets, there's a sense, even among some employees who've departed the company, that Musk and his companies are engaged in a noble effort to push the boundaries of science and technology. One former employee likened him to "a martyr" for the cause of "leaving the world a better place." In many cases, former employees suggest that they've overlooked and excused erratic behavior, dismissing it as a side effect of the stress of the enormous tasks at hand.

"Inaccuracies eat at him obsessively," a former employee said, noting that when he berated reporters, government officials, and analysts, it's because "he's frustrated by those who waste his time with things they should know." Even employee firings and Musk's penchant for distancing himself from employees are rationalized. "I would never say he has this controlling desire to do all the things, a former employee said. "He frankly just loses confidence that others can do it.

And hey, who is to blame him? He's the smartest guy in the room."

"People are both proud to be there and also well aware that this is a CEO who is extraordinarily difficult to work with," said a person who worked for Musk. "Very few work for Elon and imagine they'll work there long-term."

Vcg / Getty Images

Separating Elon From Tesla

Musk no longer has to worry that press coverage will focus on other employees; after years in the spotlight, he is now inseparable from any story about his companies — good or bad. So strong is his tie to the brand that new employees at Tesla's automotive factories and sales division play quiz games during

orientation where they can earn prizes for knowing personal facts about the CEO, like where he went to school.

Yet this asset is poised to become a liability for Musk, especially as his companies mature and pressure rises. Some who've worked with him see his recent online behavior as a defensive attempt to rally his fans around him at a moment of increased scrutiny. "His focus is increasingly on the group that's bought into his vision already," a former senior employee said. "It's just like how Trump throws red meat to the base at his rallies. If you go on Reddit every time Elon reams out a journalist, they love it and they cheer him on."

Another former employee said that there have been internal pushes to shift Tesla's messaging to make it more about the brand than its billionaire founder, something that even Musk initially seemed willing to try following a string of escalating encounters around car battery fires and Tesla's battery factory. But implementing that was difficult, they said. Musk rarely lets the communications department highlight other executives at the company in positive media stories about Tesla, while the public has become accustomed to seeing and hearing every announcement about the company from the chief himself.

Instead, Musk appears to be doubling down on himself. Three former senior employees said Musk has a habit of pushing out employees who disagree with him, and that policy has left him critically isolated during a crucial period for Tesla. In the last year, the company has been shorn of its head of global sales, vice president of finance, and head of Autopilot. Doug Field, the engineering executive who was overseeing the production of the Model 3, stepped aside so that Musk could take over. "If you said no, you're out," one person who worked closely with Musk told BuzzFeed News. "He'd find someone who said yes." (A fourth former employee disputed this, but still noted that he'll push hard to get his way.)

Afp / AFP / Getty Images

In the weeks since he blew up at analysts on an earnings call, Musk has tempered slightly. During a June 5 shareholder meeting, he said on stage that his CFO, Deepak Ahuja, and general counsel, Todd Maron, told him, “You have to watch what words you use in these situations,” and implied that he’s trying to change his ways.

Even former staffers who spoke admirably about Musk suggested that — despite running three companies and ambitions to save the planet and explore others — his greatest shortcoming as a leader is his inability to withstand criticism. “He’s brilliant but his greatest weakness is that defensiveness and an obsessive need to correct the record, rather than just bite the bullet.”

“Consider Tim Cook or Zuckerberg,” another former employee said. “There are hundreds of websites and stories dedicated to making fun of or criticizing them. They hardly lose sleep over it. But Elon’s different.”

And it is precisely that weakness, according to some who’ve worked with him, that is now showing. “He’s getting in his own way more now,” the former employee noted.

Today, the drawbacks of linking a corporate brand so inextricably to an executive are being thrown into

sharp relief. During a crisis, for example, there's no one else from the executive bench who's expected to step up and take the blame, said a former staffer. "With layoffs and profitability being bad, people will focus more and more on his personality," this person said. "That's the issue of being CEO-centric."

This former senior employee expressed frustration watching Musk from afar. "He's picking nonsense fights with reporters who should be natural allies — who're actually excited about what he's doing," they told BuzzFeed News. "He's alienating those who could be out advocating for him and the coverage about Elon has fully become about the coverage and not what he's building."

Other employees felt the same way about the double-edged sword that is having Elon Musk for a boss. "It's the reason it's great, and it's also a risk," said one. "It's the same with any company that's so strongly identified with any one individual. If you talk to any risk management expert, they'll tell you that's a risk. But that's the way the company's run, so that's the way it is: Elon is the company, and the company is Elon." ●

Joshua Lott / Getty Images

TOPICS IN THIS ARTICLE

Twitter



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EXHIBIT B

BuzzFeed News

REPORTING TO YOU

TECH

The Cave Rescuer Elon Musk Called A "Pedo" Has Lawyered Up And Is Preparing A Libel Claim

"You published through three different tweets to your twenty-two million followers that Mr. Unsworth engages in the sexual exploitation of Thai children, and you did so at a time when he was working to save the lives of twelve Thai children."



Ryan Mac
BuzzFeed News Reporter

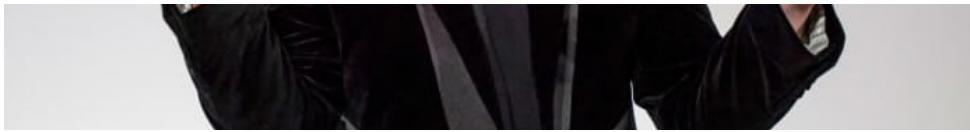
Last updated on August 29, 2018, at 12:15 p.m. ET

Posted on August 29, 2018, at 10:39 a.m. ET



Exhibit 35

Page 608



David Paul Morris, Getty Images

A British man, who Elon Musk called a “pedo” on Twitter, has retained legal counsel and is “preparing a civil complaint for libel” against the Tesla CEO, according to a letter viewed by BuzzFeed News. The letter appears to contradict a claim Musk made on Twitter on Tuesday that he had yet to see any legal repercussions from his allegations, and deepens the problems for the already embattled technology billionaire.

A lawyer for Vernon Unsworth, a UK citizen who was instrumental in the rescue of 12 children trapped in a cave in Thailand, sent Musk a letter earlier this month notifying him of a possible lawsuit, after the Tesla chief’s outburst against his client in July. Musk previously made the allegations against Unsworth without any evidence, before issuing an apology and deleting the offending tweets.

On Tuesday, the Tesla and SpaceX founder reignited the controversy on the social network by suggesting that Unsworth’s lack of legal action against him constituted something suspicious and that his original allegation of pedophilia should be investigated. BuzzFeed News, however, confirmed that Unsworth retained legal representation and sent

Musk a letter dated Aug. 6 detailing a possible lawsuit for the “false and defamatory statements.”

“You published through three different tweets to your twenty-two million followers that Mr. Unsworth engages in the sexual exploitation of Thai children, and you did so at a time when he was working to save the lives of twelve Thai children,” writes Unsworth’s lawyer L. Lin Wood, an Atlanta-based defamation expert. “You did so without any basis. According to a subsequent Twitter post, you did so out of anger.”

The possible lawsuit highlights the dangers that Musk could face for his increasingly erratic behavior on Twitter, which has landed him in hot water on multiple occasions in 2018. Earlier this month, Musk unexpectedly tweeted that he was exploring the possibility of taking Tesla private and that he had “funding secured” to do so, igniting a public market frenzy. The bid ultimately went nowhere, and the Securities and Exchange Commission is now reportedly investigating Musk and Tesla over the bizarre sequence of events.

When contacted over email by BuzzFeed News, Musk did not address the legal letter he received.

“Have you actually done any research at all?” he wrote. “For example, you incorrectly state that he is a

diver, which shows that you know essentially nothing and have not even bothered to research basic facts.”

BuzzFeed News confirmed with a source familiar with Unsworth that the cave rescuer has diving experience and maintains all the necessary diving equipment.

L. LIN WOOD, P.C.
TRIAL LAWYERS

L. LIN WOOD

August 6, 2018

VIA FEDEX & ELECTRONIC MAIL

Mr. Elon Musk

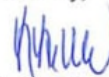
RE: Defamation of Vernon Unsworth

Dear Mr. Musk:

I have been retained by Vernon Unsworth to represent his interests in connection with the publication on your Twitter account of false and defamatory statements conveying that Mr. Unsworth is a pedophile. More specifically, you published through three different tweets to your twenty-two million followers that Mr. Unsworth engages in the sexual exploitation of Thai children, and you did so at a time when he was working to save the lives of twelve Thai children. You did so without any basis. According to a subsequent Twitter post, you did so out of anger.

I am in the process of preparing a civil complaint for libel against you. In an attempt to avoid litigation and to see the public record corrected, I invite you or your legal representatives to contact me.

Sincerely,


L. Lin Wood

cc: Mr. Vernon Unsworth
Mark Stephens, CBE, Howard Kennedy LLP

A copy of the letter sent to Musk's Los Angeles home from L. Lin Wood, a lawyer representing British diver and cave rescuer Vernon Unsworth.

L. Lin Wood

A Tesla spokesperson did not immediately respond to a request for comment. A representative for Wood

also did not immediately respond to a request for comment.

Unsworth did not respond to BuzzFeed News' request for comment. Reached by Sky News on Wednesday, he told the British news outlet "it's all being dealt with, that's all I can say."

Musk's spat with Unsworth began last month, after the British diver and spelunker dismissed Musk's attempt to build a submarine to rescue Thai boys trapped in an underwater cave as a publicity stunt in an interview. Following that, Musk took to Twitter to suggest that Unsworth was in Thailand to engage in the sexual exploitation of minors and then directly called him a "pedo guy." In a third tweet, he told another Twitter user that he'd "bet a signed dollar it's true." All three of those tweets were eventually deleted, with Musk tweeting out an apology in July stating "his actions against me do not justify my actions against him."

In interviews with other outlets, Unsworth was not clear if he would pursue action against Musk. His lawyer's letter from earlier this month is the clearest indication that he is seriously considering a lawsuit if Musk does not move to "see the public record corrected."

It's unclear if Musk has seen the letter, which was sent to his Los Angeles home, but on Tuesday he wrote in an argument with another Twitter user that it was odd that Unsworth had not sued him yet, suggesting that the British man would have done so if there was an allegation worth pursuing.

"You don't think it's strange he hasn't sued me?" he wrote. "He was offered free legal services."

"Did you investigate at all?" Musk continued in another tweet, asking the other Twitter user if he'd taken the time to investigate the previous, groundless allegations that he had made against Unsworth. "I'm guessing answer is no. Why?"

UPDATE

August 29, 2018, at 12:15 p.m.

The story has been updated with a comment from Tesla CEO Elon Musk.



Ryan Mac is a senior tech reporter for BuzzFeed News and is based in San Francisco.

Contact Ryan Mac at ryan.mac@buzzfeed.com.

Got a confidential tip? [Submit it here](#).

EXHIBIT C

BuzzFeed News

REPORTING TO YOU

TECH

In A New Email, Elon Musk Accused A Cave Rescuer Of Being A "Child Rapist" And Said He "Hopes" There's A Lawsuit

In an email to BuzzFeed News, Tesla CEO Elon Musk accused a Thai cave rescuer of moving to Thailand to take a child bride. The rescuer denied all the claims.



Ryan Mac
BuzzFeed News Reporter



Mark Di Stefano
BuzzFeed News Reporter



John Paczkowski
Technology and Business Editor

Posted on September 4, 2018, at 5:04 p.m. ET

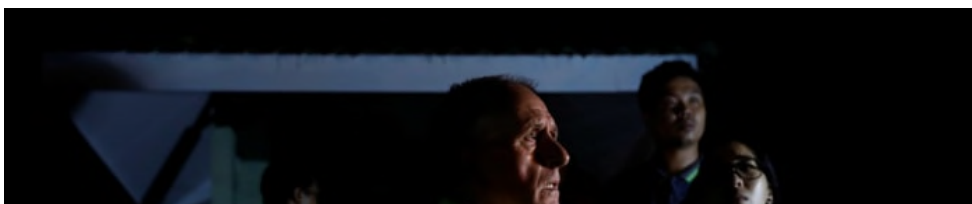


Exhibit 35

Page 615



British caver Vernon Unsworth at the Tham Luang cave complex during a search for members of a soccer team and their coach in Thailand in June.

Soe Zeya Tun / Reuters

Tesla CEO Elon Musk has renewed his attacks against a British man who played a key role in the rescue of a youth soccer team trapped in a flooded cave in Thailand.

Musk last month apologized for accusing Vernon Unsworth of pedophilia after the diver questioned the value of Musk’s contribution to the rescue, a small submarine that ultimately went unused. But in a series of emails to BuzzFeed News, Musk repeated his original attacks on Unsworth — and made new and specific claims, lambasting the rescuer as a “child rapist” who had moved to the Southeast Asian country to take a child bride. Unsworth denied Musk's accusations through his attorney.

Though Musk prefaced one email with “off the record,” BuzzFeed News did not agree to that condition of the correspondence. (Per common

journalistic practice, a conversation is off the record only if both parties agree to the terms.)

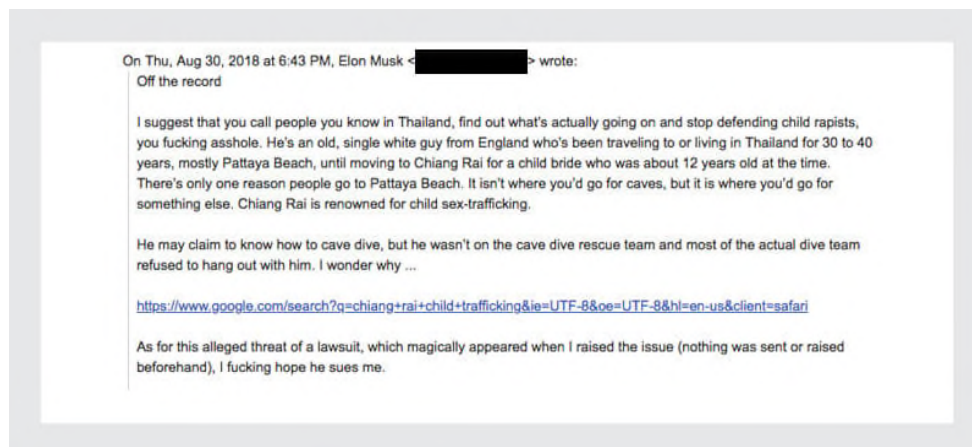
BuzzFeed News first emailed Musk last Wednesday to ask for comment regarding a legal threat made by Unsworth’s lawyer in August after the Tesla CEO renewed his apparently evidenceless criticism of the rescuer in a Twitter argument the day before. Musk responded without addressing the substance of the legal threat. BuzzFeed News followed up twice, once on Wednesday and once on Thursday, and Musk responded with two separate emails.

“I suggest that you call people you know in Thailand, find out what’s actually going on and stop defending child rapists, you fucking asshole.”

“I suggest that you call people you know in Thailand, find out what’s actually going on and stop defending child rapists, you fucking asshole,” Musk wrote in the first message. “He’s an old, single white guy from England who’s been traveling to or living in Thailand for 30 to 40 years, mostly Pattaya Beach, until moving to Chiang Rai for a child bride who was about 12 years old at the time.”

“As for this alleged threat of a lawsuit, which magically appeared when I raised the issue (nothing was sent or raised beforehand), I fucking hope he sues me,” he added.

It is unclear why Musk believes the allegations against Unsworth or what evidence he has to support them. Musk did not provide proof of his claims to BuzzFeed News, and BuzzFeed News could not verify any of the claims after reporting on Unsworth’s background.



BuzzFeed News

The Tesla CEO’s continued campaign against Unsworth offers a glimpse into the new ability of some of the world’s wealthiest and most powerful figures to directly attack private citizens who cross them — and will test the capacity of traditional legal tools against them.

“Elon Musk can tweet his vindictive and vicious lie about Mr. Unsworth a hundred times and it will still be a lie,” Unsworth’s lawyer, L. Lin Wood, wrote in a

statement. “After deleting the initial accusation and tweeting an apology, Mr Musk has continued to republish his false and unsupportable accusation. His conduct demonstrates that his recklessness is intentional and designed to harm Mr. Unsworth.”

A spokesperson for Tesla did not immediately return a request for comment on Musk's newest allegations, and referred to a previous statement issued by the board in response to a question about its support for the company's CEO.

The feud began in July when Musk tweeted that Unsworth was “a pedo guy” after the rescuer called the billionaire’s attempt to use a custom-designed submarine in the rescue effort a “publicity stunt.” Musk later apologized and deleted this tweets, but revisited the claim last week in an argument on Twitter, asking why Unsworth hadn’t sued yet if the accusations were indeed untrue. BuzzFeed News then reported that Wood had actually sent Musk a letter warning of a possible defamation suit in early August.

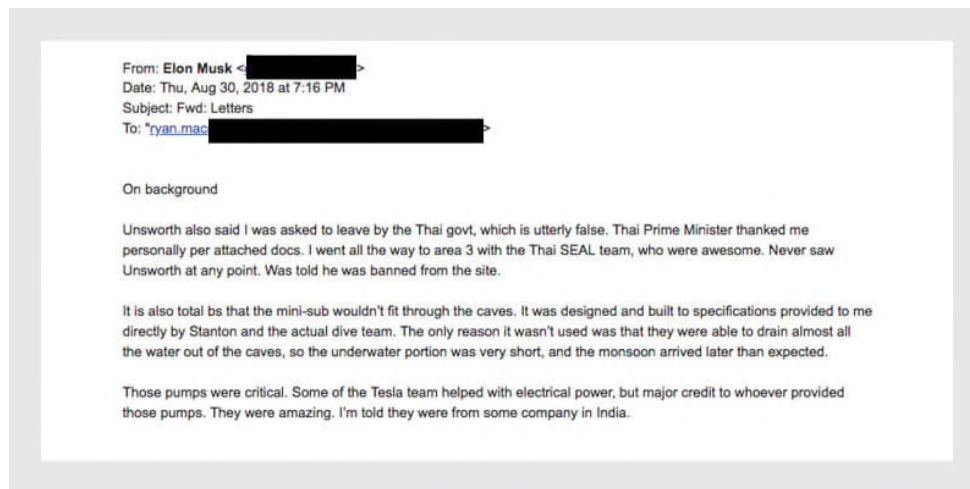
Musk’s renewed attacks on Unsworth come after a series of erratic public gestures, notably a widely publicized suggestion that he would take Tesla private and the narration of his home life by the rapper Azealia Banks. And the new accusations leveled at Unsworth threaten to undermine a recent charm offensive intended to frame the CEO’s erratic

behavior as the actions of an overworked luminary struggling to maintain his world-changing businesses. It’s been a particularly difficult summer for the billionaire, marked by Tesla’s missed production goals, clashes with reporters, and his failed attempt to take his car company private.

Despite that, Musk still managed to maintain a dispute with Unsworth, a 63-year-old cave explorer and diver, whom he has now accused of taking a child bride.

BuzzFeed News could find no evidence to support that claim, and Musk did not provide any documentation to support his accusations. Publicly available legal documents do nothing to support Musk’s claims: BuzzFeed News could not immediately locate any criminal records for Unsworth in the UK.

Separately, a Thai immigration official named Ploy Pailin told BuzzFeed News that an individual on a visa would likely not have it renewed if they had been found guilty of criminal activity in the country. Pailin also said that while foreigners applying for visas in Thailand do not undergo mandatory background checks, those who are found guilty of serious crimes are often blacklisted by the government and can be removed from the country.



BuzzFeed News

BuzzFeed News also spoke with Woranan Ratrawiphukkun, a Thai woman who is Unsworth's longtime girlfriend. She said she had been with Unsworth for more than seven years and has posted numerous photos about their relationship on social media dating back several years. Unsworth, she added, spends part of the year in Thailand and part of the time in the UK.

Ratrawiphukkun, who said she is 40, declined to comment on Musk's allegations against Unsworth, and referred a reporter to his lawyers.

Among Musk's other claims about Unsworth is that he was not part of the actual dive team in the Thailand cave rescue. While Unsworth did not dive for the mission, media reports and other people who were part of the rescue cited the Brit as instrumental to the effort, as he had previously mapped and explored

some of the cave system and recruited some of the divers who went into the cave.

“He may claim to know how to cave dive, but he wasn’t on the cave dive rescue team and most of the actual dive team refused to hang out with him,” Musk wrote in one email. In another email in which Musk wrote “on background” — BuzzFeed News again did not agree to these terms — the Tesla CEO said, “Never saw Unsworth at any point. Was told he was banned from the site.”

A British diver on the rescue mission who had previously been in contact with Musk, Rick Stanton, denied those claims.

“I’ve no idea what gave you those concerns about Vern,” Stanton wrote over Facebook Messenger. “They are completely unfounded. He was never kicked off site by anyone and worked continuously on the rescue for the full duration. He was pivotal to the entire operation.”

Two Australian specialists who were brought in by the Thai government to aid the Thai cave rescue operation, Richard Harris and Craig Challen, also rejected Musk’s allegation.

“Vern seemed like an excellent guy and absolutely vital to the mission,” said Harris, who, with Challen,

helped in the sedation of the Thai boys before they were brought out of the cave by the British divers. “You must be confusing him with someone else.”

“He was pivotal with his knowledge of the cave. [The] rescue wouldn’t have happened without him recommending the Brits were called,” Harris said.

Photos and videos posted on Facebook by Woranan and members of the local Thai news media show Unsworth at the site through the duration of the operation, which lasted more than two weeks in the country’s Chiang Rai province. Some of those photos show Unsworth posing with other British members involved with the rescue.

In his second email to BuzzFeed News, Musk commented on Unsworth’s interview with CNN.

“Unsworth also said I was asked to leave by the Thai govt, which is utterly false. Thai Prime Minister thanked me personally per attached docs. I went all the way to area 3 with the Thai SEAL team, who were awesome.”

Unsworth did say that Musk was asked to leave the cave in the interview, but did not specify who had asked him.

Musk also supplied a letter to BuzzFeed News from the Thai prime minister thanking him for his team’s involvement in the rescue. “I wish to convey my deep appreciation to you and your engineering team for your expeditious and extraordinary efforts in constructing the Space-X mini-submarine 'Wild Boar' to assist the rescue operation of the Moo Pa Academy Football team trapped in Tham Luang Cave, Chiang Rai province,” wrote General Prayut Chan-o-cha.

Office of the Prime Minister,
Government House,
BANGKOK.

26 July B.E. 2561 (2018)

Dear Mr. Musk,


I wish to convey my deep appreciation to you and your engineering team for your expeditious and extraordinary efforts in constructing the Space-X mini-submarine “Wild Boar” to assist the rescue operation of the Moo Pa Academy Football team trapped in Tham Luang Cave, Chiang Rai Province.

I am particularly touched that you personally travelled to Thailand to deliver the “Wild Boar” Space-X mini-sub, which was made possible through your expertise and the cooperation with various experts involved with this highly complicated and urgent rescue operation. Your initiative and involvement indeed exemplifies the significance of compassion and ingenuity in responding to extremely complex and life-threatening situations. Furthermore, the endeavour of courage and determination by all who took part in this perilous operation, both Thai and foreign, is testament to what can be achieved in the face of seemingly unsurmountable odds. The rescue has inspired people around the world and reaffirmed our faith in the power of solidarity and cooperation in times of crises. Indeed, this historic episode of immediate assistance and resolve demonstrates humanity at its best.

Looking ahead, I hope that you will have a chance to visit Thailand again soon. I believe that there are many opportunities for us to cooperate on, especially on how to harness technology and innovation for the benefit of sustainable development and towards enhancing the well-being of all global citizens.

I would like to extend to you my best wishes for your good health and success.

Yours sincerely,

General  (Ret.)
(Prayut Chan-o-cha)
Prime Minister of the Kingdom of Thailand

Mr. Elon Musk,
Chief Executive Officer,
Space Exploration Technologies Corporation,
CALIFORNIA.

Elon Musk provided to BuzzFeed News

In addition, Musk claimed that the mini-sub, which ultimately was not used in the rescue, was built to Stanton’s specifications, and that it was not deployed only because too much water had been drained from the cave. Stanton, however, denied that was the reason, and said he did not recall providing exact specifications to Musk.

“We didn't use the tube because rescue operations were already well underway and it didn't have the necessary life support systems,” Stanton said to BuzzFeed News on Facebook Messenger. “Essentially, it wasn't developed enough. I do think it has promise in certain situations and I hope they keep working on it to get it in shape for evaluation and to be considered as a viable alternative in future underwater rescue scenarios.”

In another claim, Musk noted that “the alleged threat of a lawsuit” from Unsworth “magically appeared when I raised the issue” on Twitter last week and that nothing had been sent prior to his outburst. L. Lin Wood, Unsworth’s lawyer, provided BuzzFeed News with confirmation showing that he had sent a note titled “Fwd: Defamation of Vernon Unsworth” containing the legal letter to the appropriate email address for Musk’s office at SpaceX on Aug. 6.

BuzzFeed News corresponded with the Tesla and SpaceX CEO at a separate, personal email address that two sources confirmed belonged to Musk. One source, who had previously worked for Musk, noted that the email address can be accessed by the billionaire and his assistants. The source noted that it was not uncommon for Musk to personally respond to reporters and other people through that account.

Wood did not respond to questions asking him to more specifically address each of Musk’s accusations, but suggested that he was moving closer to legal action.

“Today the rich and powerful seem all too ready to tweet falsities in the hope and expectation that their wealth and position will protect them,” he wrote in a statement. “Pedophilia is too serious an issue to leave unchallenged. If Mr. Musk believes his wealth affords him protection from his lies and Twibels, he is sadly mistaken.”

Here are the emails Elon Musk sent to BuzzFeed News reporter Ryan Mac

From: Elon Musk < redacted >
Date: Thu, Aug 30, 2018 at 6:43 PM
Subject: RE: BuzzFeed News: Unsworth legal letter
To: "ryan.mac@buzzfeed.com"

Off the record

I suggest that you call people you know in Thailand, find out what’s actually going on and stop defending child rapists, you fucking asshole. He’s an old, single white guy from England who’s been traveling to or living in Thailand for 30 to 40 years, mostly Pattaya

Beach, until moving to Chiang Rai for a child bride who was about 12 years old at the time. There's only one reason people go to Pattaya Beach. It isn't where you'd go for caves, but it is where you'd go for something else. Chiang Rai is renowned for child sex-trafficking.

He may claim to know how to cave dive, but he wasn't on the cave dive rescue team and most of the actual dive team refused to hang out with him. I wonder why ...

[https://www.google.com/search?
q=chiang+rai+child+trafficking&ie=UTF-8&oe=UTF-8&client=safari](https://www.google.com/search?q=chiang+rai+child+trafficking&ie=UTF-8&oe=UTF-8&client=safari)

As for this alleged threat of a lawsuit, which magically appeared when I raised the issue (nothing was sent or raised beforehand), I fucking hope he sues me.

From: Elon Musk <redacted>
Date: Thu, Aug 30, 2018 at 7:16 PM
Subject: Fwd: Letters
To: "ryan.mac@buzzfeed.com"
On background

Unsworth also said I was asked to leave by the Thai govt, which is utterly false. Thai Prime

Minister thanked me personally per attached docs. I went all the way to area 3 with the Thai SEAL team, who were awesome. Never saw Unsworth at any point. Was told he was banned from the site.

It is also total bs that the mini-sub wouldn't fit through the caves. It was designed and built to specifications provided to me directly by Stanton and the actual dive team. The only reason it wasn't used was that they were able to drain almost all the water out of the caves, so the underwater portion was very short, and the monsoon arrived later than expected.

Those pumps were critical. Some of the Tesla team helped with electrical power, but major credit to whoever provided those pumps. They were amazing. I'm told they were from some company in India.

Help us break more stories. If you want to support reporting like this, make a contribution to BuzzFeed News.



Ryan Mac is a senior tech reporter for



Mark Di Stefano is a media and politics correspondent

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mark.di.stefano@buzzfeed.com

for BuzzFeed News and is
based in San Francisco.

EXHIBIT 36

EXHIBIT 36

From: Erica Chen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F37D6BAB915D4703A7F37A979FB707E9-ERICA CHEN]
Sent: 7/16/2018 4:31:12 PM
To: DL-USComms [dl-uscomms@tesla.com]
Subject: Re: Coverage on E's tweet

Associated Press reports Elon "has fought back, often around the clock on Twitter," but he "may have gone one tweet too far." Jalopnik wonders, "How can someone be so accomplished, so successful, so adored by so many people and yet still be so wildly, uncontrollably insecure that any amount of entirely reasonable criticism triggers a response like this?"

Representatives of T. Rowe Price, Fidelity Investments and Baillie Gifford — Tesla's three largest shareholders, behind Musk himself — declined to comment. Gene Munster said the tweets raised questions about Elon's distractibility and "maturity," adding, "This crossed a line, and it needs to stop." Gordon Johnson, the managing director of investment research firm Vertical Group, said, "This thing is unraveling," adding, "You had a very big shareholder last week say they want him to focus on executing and stop with the tweets — and then, this weekend, you get more tweets. What's his angle? What is he doing? ... He keeps promising all of these things, and he keeps missing, and he's not being held to task."

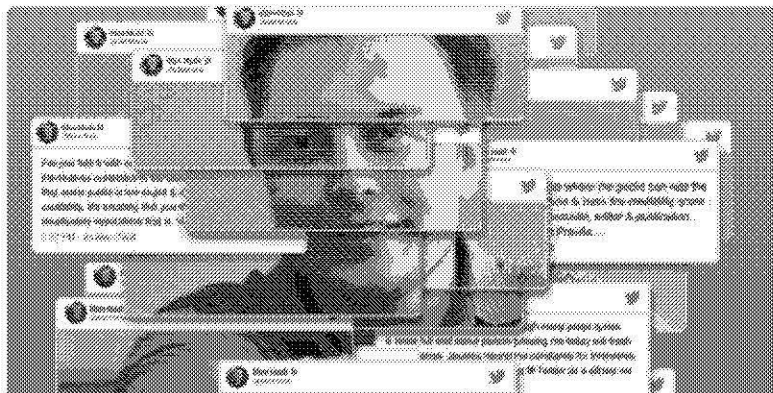
AP also mentions, "For the first four months of the year, Musk was averaging around 100 tweets per month. But the tweets spiked to about 400 per month starting in May as Musk was under pressure to raise production of the Model 3."



Ryan Mac @RMac18 · 2h

Things Elon Musk has done in the last month since we published this story:

- Accused a reporter of colluding with short sellers
- Defended his donations to GOP politicians
- Called a rescue diver a pedophile



Elon Musk Has Always Been At War With The Media

Some say Musk's paranoia and late-night Twitter rants reveal a billionaire cracking under pressure. But those who know him best say this is nothin...
 buzzfeed.com

12 43 124

Associated Press, Elon Musk's Social Media Conduct May Be Bad for His Business

Bloomberg TV, Musk's Twitter Controversy

The Washington Post, Elon Musk's "pedo" attack rattles Tesla investors: "This thing is unraveling"

MarketWatch, Tesla shares, at lowest in six weeks, fall further in late trading

Business Insider, Tesla slides after an eventful weekend for Elon Musk

Fast Company, Elon Musk accuses Thai cave rescue diver of being a pedophile

SF Chronicle, Elon Musk's "pedo guy" cave tweet could hurt Tesla

The Mercury News, Has Elon Musk gone too far with tweet about Thai cave rescue diver?

Jalopnik, [Now We Know For Sure: Elon Sucks Like All These Jackasses Suck](#)
 The Daily Beast, [Elon Musk Joins the Fringe Right in Calling His Foe a 'Pedo'](#)
 Futurism, [Electric Cars Are Too Important For Elon Musk to Put at Risk](#)

From: Erica Chen <echen@tesla.com>
Date: Monday, July 16, 2018 at 1:19 PM
To: DL-USComms <DL-USComms@tesla.com>
Subject: Re: Coverage on E's tweet

Media continue to cover E's tweet, with some stories mentioning that the "outburst" comes "just a week after he said in a Bloomberg interview that he would try to be less combative on Twitter." Reuters notes that a number of investors and analysts believe his comments are adding to their concerns that he's distracted from Tesla's main business. James Anderson of Baillie Gifford called the events "a regrettable instance" and said he had reiterated to Tesla the need for "peace and execution" of its core business. GQ comments, "If Musk can't have the credit, he'll make damn sure the other guy doesn't get it, either," while Mashable suggests, "Here's an easy PR strategy: Never tweet. It's not worth it."

In an opinion piece, Reuters says "firing him for his 'pedo guy' tweet could precipitate a crisis of confidence among investors. Unlike the eventual ouster of Travis Kalanick at privately held Uber, for a capital-hungry public company that might prove terminal. Directors could consider stripping him of either the chairman or chief executive title. Or they could dock his compensation." The piece adds, "At the very least the board should require him to apologize and perhaps swear off Twitter. To do nothing would send a worrying message: that directors are unwilling or unable to rein in Musk's more troubling traits."

KBB analyst Rebecca Lindland believes his comments could hurt sales and ultimately anger investors. "When you're looking to expand the appeal of your product beyond innovators themselves, beyond early adopters ... you've got to be careful," she said, "You've got to start acting like a CEO."

Reuters, [Tesla shares fall 3.5 percent after CEO Musk abuses British diver](#)

Reuters BreakingViews, [Libel risk](#)

Financial Times, [Teamwork in Thailand triumphs over solo ego](#) [full text below]

NY Daily News, [Elon Musk tries to help, but does not always succeed](#)

CNN, [Will Elon Musk's antics hurt his businesses?](#)

CNN, [Elon Musk makes unfounded accusation against Thai cave rescuer](#)

Fortune, [Elon Musk Spins Out of Control](#)

The Onion, [Elon Musk Insists He'd Be Much More Innovative Pedophile Than Thailand Rescue Worker](#)

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Inc, [Elon Musk Proves Once And For All: Don't Tweet Tired](#)

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Financial Times, Teamwork in Thailand triumphs over solo ego

Elon Musk plays an understudy role in underwater cave rescue

In a year dominated by geopolitical gloom, there has been one unabashed moment of celebration. The rescue of 12 Thai boys and their football coach from a deep underwater cave was a global triumph. It was an act of engineering and strategic brilliance. The international divers acted selflessly in lethal circumstances where success was by no means guaranteed. Leaders and citizens across the world have lauded their achievement.

Nearly everyone, that is, except Elon Musk. The tech entrepreneur and chief executive of Tesla inserted himself into the crisis by offering a “mini-submarine” he had constructed to save the children. The experts deemed his solution inappropriate. Vern Unsworth, one of the British divers behind the rescue, decried Mr Musk’s efforts as a “PR stunt” that had “absolutely no chance of working”. Despite his billions and an army of 22m Twitter followers, Mr Musk was overruled by the experts.

He did not take well to being told to go away. Over the weekend, Mr Musk tweeted that Mr Unsworth (who is threatening to sue for libel in return) was a “pedo guy” and pledged to take his pod to the cave anyway to prove he was right. His desire to come out on top of this argument speaks to the feral instincts of his natural Silicon Valley home, where the winner frequently takes all. In technology, human lives tend not to be directly at stake. Such an emergency calls for imagination, flexibility and timeliness — not grandstanding and the worst of tech’s “move fast and break things” ethos.

By defaming Mr Unsworth, widely celebrated as a hero, Mr Musk has revealed a less appealing side to his character that should not escape the attention of investors. Such personal insults suggest he had at least one eye on enhancing his own reputation through this crisis.

This dispute represents two different worlds colliding. The rescue operation was a team effort; the divers who rescued the boys brought expertise from Australia, Scandinavia, Belgium and the US. They worked tirelessly together towards a common goal.

The rescue team is proof of the advantages in having expertise in a specific field. The divers and rescue specialists knew what had to be done to save the boys and set about it methodically. Mr Musk, on the other hand, believes in the value of bringing fresh eyes to complex challenges. Yet it would be naive to think that any individual alone was best equipped to deliver salvation.

Mr Musk’s intervention also exposes one flaw in “flat hierarchy”, the slimline management structure favoured by Silicon Valley. If team members defer to each other’s expertise then such a structure can encourage useful collaboration. But reducing layers of management — as Mr Musk has recently done at Tesla — can sometimes allow leaders to tinker and assert their influence counter-productively. His efforts in Thailand suggest this was precisely the tech-man’s approach.

The drama of the underground rescue — whether the trapped Thai children or the Chilean miners in 2010 — is best managed by largely anonymous individuals working together without ego. They do not depend on chief executives bubbling with optimism and flashy innovations. An offer to help in such a perilous situation is welcome. Rudely asserting one’s own authority at the expense of the team is not.

The Thai boys were saved by a systematic collective approach. The intervention of Mr Musk, who has conceded he might be a useful “narcissist”, points to the limits of Silicon Valley’s “yes, we can” attitude. This was one situation where the last thing a trained team needed was a dose of disruption.

CNN, [British rescuer considers legal action against Elon Musk over 'pedo' tweet](#)
 The Washington Post, [Thai cave rescuer considers suing Elon Musk over deleted 'pedo' tweets](#)
 Vox, [Elon Musk just called one of the Thai cave rescuers a pedophile](#)
 TIME, [A Diver Who Helped Rescue Thai Kids May Sue Elon Musk Over His 'Pedo' Tweet](#)
 The Guardian, [British cave diver considering legal action over Elon Musk's 'pedo' attack](#)
 Business Insider, [The British diver from the Thai cave rescue whom Elon Musk called a 'pedo' is considering suing the billionaire](#)
 Cnet, [Elon Musk's 'pedo guy' tweet fuels polarization problem](#)
 NBC, [Elon Musk calls Thai cave rescue diver Vern Unsworth a 'pedo' on Twitter](#)
 Gizmodo, [Hero Diver Threatens Lawsuit Against Elon Musk for Calling Him a Pedophile](#)
 MarketWatch, [Elon Musk calls Thailand cave rescue diver a 'pedo' in Twitter outburst](#)
 The Cut, [Elon Musk Spends Relaxing Weekend Calling Thai Cave Rescuer a Pedophile](#)
 NPR, [Elon Musk And British Diver Exchange Harsh Words Over Thai Cave Rescue](#)
 Newsweek, ['PEDO GUY'—ELON MUSK FIRES BACK AT BRITISH DIVER WHO LED RESCUE OF THAI SOCCER TEAM](#)
 The Hill, [British diving experts considers legal action against Elon Musk for calling him 'pedo guy'](#)
 Inc, [Elon Musk's Harmful Twitter Attack Is a Major Lesson in Emotional Intelligence](#)
 Slate, [Elon Musk Calls Diver Involved in Thai Cave Rescue Mission a "Pedo" After Diver Criticizes Him](#)
 Investor's Business Daily, [Tesla Stock Falts After Musk Takes Twitter Battles To New Level](#)
 The Next Web, [Dear Elon Musk, delete your Twitter account](#)
 Autoblog, [Elon Musk calls Thai cave rescuer a pedophile on Twitter](#)
 Hypebeast, [Elon Musk Calls Rescue Diver a "Pedo Guy" in Twitter Outburst](#)
 HighSnobiety, [Elon Musk Calls Cave Diver From Thai Rescue a "Pedo" in Twitter Attack](#)
 BBC UK, [British caver 'could sue' Elon Musk over Twitter attack](#)
 Daily Mail UK, [Tesla stock PLUMMETS after Elon Musk called British diver who rescued Thai soccer team a 'pedo' and was unmasked as a top donor to a Republican PAC](#)
 The Sun UK, [Brit cave hero who saved trapped Thai children threatens to sue Elon Musk for calling him 'a paedo' in vile Twitter rant](#)
 The Wall Street Journal, [Tesla CEO Elon Musk Lashes Out at British Cave Rescuer in Latest Twitter Outburst](#)

Musk suggested a the diver is a pedophile; "Sorry pedo guy, you really did ask for it"

Tesla Inc. Chief Executive Elon Musk for years has used Twitter to combat critics in ways that few other business leaders would dare. His latest outburst on the platform, though, was extreme even by his standards.

Mr. Musk took offense at comments from a British cave explorer who dismissed the billionaire entrepreneur's efforts to rescue the youth soccer team trapped in a Thailand cave as an ill-informed public-relations stunt. [He suggested the critic, Vern Unsworth, was a pedophile in a tweet Sunday.](#)

"Sorry pedo guy, you really did ask for it," read a post on Mr. Musk's official Twitter account early Sunday in response to the explorer's criticism. The post quickly prompted criticism, eliciting a follow-up from Mr. Musk to someone who challenged the statement, which read: ["Bet ya a signed dollar it's true."](#)

Those posts were deleted later Sunday. A spokesman for Tesla didn't respond to a request for comment. Mr. Unsworth couldn't be reached for comment Monday in Thailand, but he told Australian television that the dispute wasn't finished yet.

Tesla shares slid 3.51% to \$307.68 in morning trading in New York.

It was the latest example of Mr. Musk's aggressive and sometimes controversial use of Twitter. In recent months, he has used the platform to criticize regulators, taunt short-sellers and debate people who criticized his political donations.

From: Erica Chen <echen@tesla.com>
Date: Monday, July 16, 2018 at 12:26 PM
To: DL-USComms <DL-USComms@tesla.com>
Subject: Re: Coverage on E's tweet

"A number of analysts and investors, requesting anonymity, told Reuters that Musk's comments are adding to their concerns that his public statements are distracting him from Tesla's main business of producing electric cars."

James Anderson of Baillie Gifford called the weekend's events "a regrettable instance" and said he had reiterated to the company the need for "peace and execution" of its core business.

"Unsworth's wife told Reuters on Monday that her husband was returning to Britain on July 19, where he will speak to lawyers."

"Tesla spokespeople and lawyers did not respond to emails and phone calls from Reuters."

Reuters, [Tesla shares fall 3.5 percent after CEO Musk abuses British diver](#)

From: Erica Chen <echen@tesla.com>
Date: Monday, July 16, 2018 at 9:02 AM
To: DL-USComms <DL-USComms@tesla.com>
Subject: Coverage on E's tweet

Media report Elon, who "is often quick to attack those who criticize him," is "still mad that his plan to help out didn't work," and is "throwing a fit on Twitter" by "baselessly" accusing a British diver "of being a pedophile." The WSJ reports Elon uses Twitter "to combat critics in ways that few other business leaders would dare," but "his latest outburst on the platform, though, was extreme even by his standards." Bloomberg comments, "Controversial outbursts are neither new nor unusual for Musk, who frequently spars with critics and investors betting against his company," while CNBC calls it "a scathing attack." The Washington Post states that Elon "has been arguing with people who accuse him of shoe-horning himself into the drama," which "has, inevitably, led Musk into a rhetorical war with people who actually participated in the rescue operation." Referring to the recent interview with Bloomberg, Vox mentions, "Last week, the Tesla CEO said he was going to be better on Twitter. Spoiler alert: He's not."

Vernon Unsworth told the Guardian he was "astonished and very angry" at the attack. Asked if he would consider taking legal action against Elon, he told reporters: "Yes, it's not finished." Unsworth said he had saved copies of Elon's tweets and believed that he had "lost the plot," adding, "I have a lot of support from people around the world astonished by his unfounded comments." He noted, "I don't know the guy, never met the guy, and don't want to meet the guy."

James Anderson, a partner at Baillie Gifford, Tesla's fourth-largest shareholder, told the Guardian in an email: "I intend to convey my – predictable I trust – feelings to the company tomorrow." He declined to elaborate.



Tom Randall @tsrandall · 1h

If this continues, it seems like Musk's Twitter account is going to need to be included on Tesla's Risk Factors section of the earnings report. Shares are down \$2 billion today

The Wall Street Journal, [Tesla CEO Elon Musk Lashes Out at Critic in Latest Twitter Outburst](#) [full text below]

Financial Times, [Elon Musk attacks Thai cave rescuer in angry tweet](#) [full text below]

Bloomberg, [Elon Musk Can't Take His Own Advice and Tesla Falls Again](#)

CNBC, [Tesla falls 2% after British diver mulls legal action over Elon Musk's baseless 'pedo guy' claim](#)

Mr. Musk's seemingly unfiltered use of the platform is unusual among major CEOs, whose public remarks are generally carefully controlled. The messages are part of a pattern of defiance that has won Mr. Musk many fans and gained him more than 22 million followers on Twitter, to whom he often promotes new products and features or customer questions.

The interactions often become hostile. In one particularly testy exchange in May, Mr. Musk fired back at a profane comment directed his way by tweeting at its author: "Does the psych ward know you smuggled in a mobile phone?"

In May, he waged a lengthy attack on the media following unflattering articles about Tesla, and announced plans to create a Yelp.com-like website where people can rate the credibility of journalists and news organizations. Mr. Musk said he would name it Pravda, after the former Soviet Union's main propaganda outlet, then changed it to Pravduh.

The sheer volume of tweets from Mr. Musk is all the more remarkable given the enormous demands on his attention at Tesla, which has been struggling to sharply increase production of its new sedan, and at his other companies including rocket maker Space Exploration Technologies Corp., or SpaceX.

Mr. Musk has defended his use of Twitter, while also suggesting he would adjust. "I have made the mistaken assumption—and I will attempt to be better at this—of thinking that because somebody is on Twitter and is attacking me that it is open season," Mr. Musk said in an interview with Bloomberg Businessweek. "And that is my mistake. I will correct it."

Mr. Musk's involvement with the Thai cave drama began on Twitter, when he responded on July 4 to a user asking him to assist in the rescue. He later posted videos of swimming-pool tests in California of a metal tube that his team fashioned to carry the Thai boys out of the flooded cave.

Meanwhile, Thai authorities successfully rescued all 12 boys and their coach without Mr. Musk's device.

Mr. Musk, who praised the rescue effort, stopped off to visit the cave on a trip to China and said he was leaving the sub in case it could be useful in the future.

Mr. Musk chafed at criticism of his effort. "This reaction has shaken my opinion of many people," he tweeted on July 11. "We were asked to create a backup option & worked hard to do so."

Late last week, a CNN posted a video in which Mr. Unsworth called Mr. Musk's mini-sub a "PR stunt," saying it "had absolutely no chance of working" because it was too big for the cave. "He can stick his submarine where it hurts," Mr. Unsworth said.

Sunday morning, Mr. Musk replied to a tweet citing the comments, saying: "Never saw this British expat guy who lives in Thailand (sus) at any point when we were in the caves," he wrote. "Only people in sight were the Thai navy/army guys, who were great."

He then challenged Mr. Unsworth to show a video of the rescue, before adding: "You know what, don't bother showing the video. We will make one of the mini-sub/pod going all the way to Cave 5 no problemo. Sorry pedo guy, you really did ask for it."

Financial Times, [Elon Musk attacks Thai cave rescuer in angry tweet](#)

Tesla founder risks serious backlash with unsubstantiated insults

Elon Musk's mounting displays of public irritation risked a serious backlash on Sunday, as he resorted to personal abuse on Twitter against one of the divers involved in the Thailand cave rescue.

The entrepreneur behind Tesla and SpaceX addressed the diver directly in a tweet as “pedo guy”, a common abbreviation for a paedophile. It was his most strident comment in weeks of lashing out, bringing accusations that he has misused his powerful position as one of Twitter’s most widely followed personalities in order to silence critics.

Mr Musk presented no evidence to support his claims.

The tweet followed a television interview in which Vern Unsworth, a British diver who lives in Thailand, called Mr Musk’s attempts to help in the rescue effort a “PR stunt”.

Mr Musk had instructed his engineers to turn a large canister into an improvised submarine that could be used to ferry the children trapped by rising water in the cave complex. He also visited the site last week, though the rescue capsule was not used and the children were rescued by divers.

Asked by reporters what he thought of Mr Musk’s submarine idea, Mr Unsworth said: “He can stick his submarine where it hurts.” He added that it “just had absolutely no chance of working”, since sharp turns in the caves would have blocked the rigid canister.

Mr Musk responded on Twitter: “Never saw this British expat guy who lives in Thailand (sus) at any point when we were in the caves.”

He then challenged Mr Unsworth to produce a video to prove his claim, before writing: “You know what, don’t bother showing the video. We will make one of the mini-sub/pod going all the way to Cave 5 no problemo. Sorry pedo guy, you really did ask for it.”

Twitter’s policy against abuse forbids behaviour that “harasses, intimidates, or uses fear to silence another user’s voice”, though it maintains wide latitude to interpret how the rule is applied. In a standard response, Twitter said its rules “apply to everyone” who uses the service and that “if a violation is found, action should be taken.”

Mr Musk’s attacks on critics have become increasingly outspoken in recent weeks as pressure on him has mounted over production delays at Tesla. With 22.3m followers, his comments are widely seen and sometimes provoke fans into joining the attacks, as happened after a recent tirade against a female journalist he accused of paying for information from a former Tesla employee.

EXHIBIT 37

EXHIBIT 37

WORLD

People Really Aren't Here For Elon Musk's Rescue Submarine

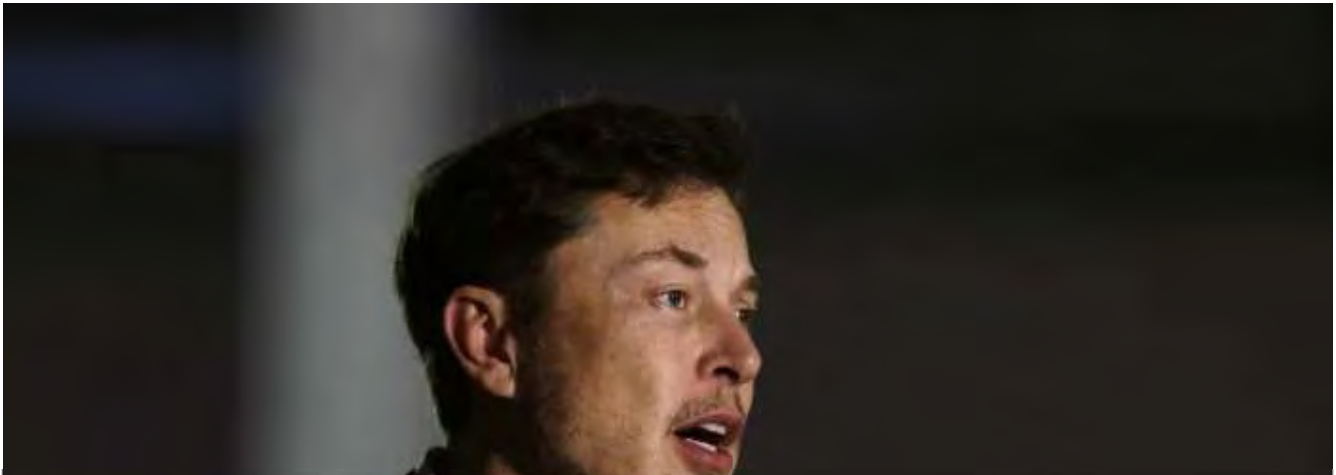
"The most Elon Musk thing to happen."

By Rachael Krishna

Last updated on July 10, 2018, at 8:42 a.m. ET

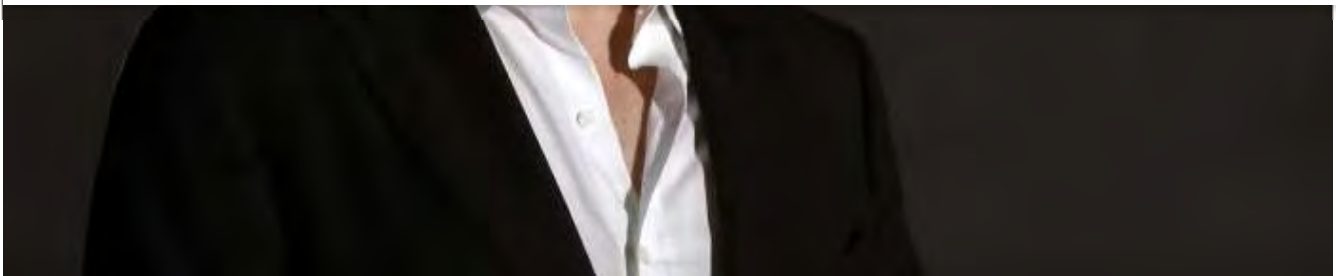
Posted on July 10, 2018, at 7:43 a.m. ET

On Friday, Elon Musk said he was sending a team of engineers to Thailand.



BuzzFeed News

People Really Aren't Here For Elon Musk's Rescue Submar

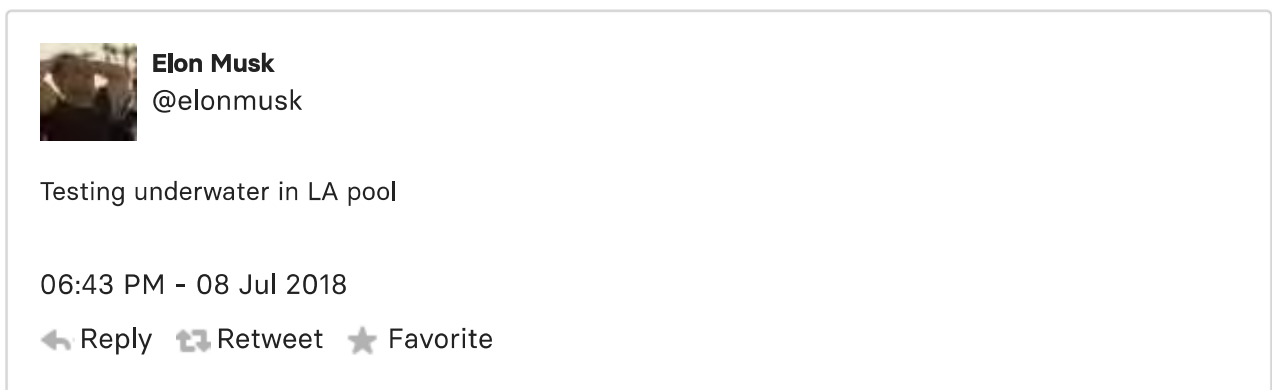


Joshua Lott / Getty Images

With this gesture, he attempted to [aid](#) the group of 12 teen boys and their coach, who were found alive in the Tham Luang Nang Non cave system in northern Thailand.



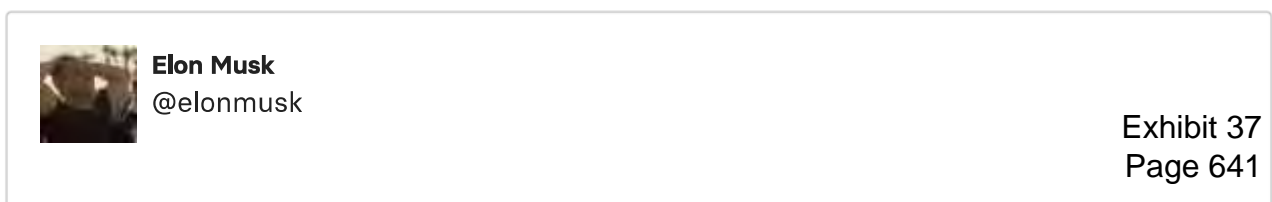
Eventually, he shared videos that showed a submarine, which would apparently be small enough to hold the boys inside and take them out of the tunnels of the cave.



BuzzFeed News People Really Aren't Here For Elon Musk's Rescue Submar



And on Monday, he tweeted from Thailand to say that the submarine had been dropped off at the cave for optional use by the team there.




10:05 PM - 09 Jul 2018

 Reply
  Retweet
  Favorite

The gesture was met with a mixed reaction. Some people praised Musk for offering to help with the rescue effort.



 @elonmusk You personally went to Thailand to deliver&test the emergency submarine pod your team crafted in order to help rescue the boys who are still trapped in the cave?! & you're leavin the pod there for future use! You go above&beyond time&time again! You makes us all so very #proud!👍

Phoenix Rosa
@ThePhoenixFlare

Phoenix Rosa

@ThePhoenixFlare

@elonmusk You personally went to Thailand to deliver&test the emergency submarine pod your team crafted in order to help rescue the boys who are still trapped in the cave?! & you're leavin the pod there for future use! You go above&beyond time&time again! You makes us all so very #proud!👍

10:13 PM - 09 Jul 2018

 Reply
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  Favorite



Red T Raccoon

@RedTRaccoon


Not only did Elon Musk donate his technology to help the Thailand cave rescues, he actually ~~showed up and was in the cave~~. <https://t.co/c0ilQ0MNKw>

BuzzFeed News

People Really Aren't Here For Elon Musk's Rescue Submar

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 Just wow! Our world benefits from more outside of the box thinkers like Elon Musk! <https://t.co/F20EDDQX8j>

Cynthia D. Ritchie

@CynthiaDRitchie

Just wow! Our world benefits from more outside of the box thinkers like Elon Musk!
<https://t.co/F20EDDQX8j>

06:23 AM - 10 Jul 2018

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I can't even begin to address everything wrong with Musk's attempted involvement in the #ThaiCaveRescue. FFS. <https://t.co/3VE9CsEbJA>

Gareth Dennis

@GarethDennis

I can't even begin to address everything wrong with Musk's attempted involvement in the #ThaiCaveRescue. FFS. <https://t.co/3VE9CsEbJA>

10:44 AM - 10 Jul 2018

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elon musk showing up with a useless submarine while experts actually rescue the kids is 'chicken and a fishing rod' levels of intervention.

shar

@sharcoal

elon musk showing up with a useless submarine while experts actually rescue the kids is 'chicken and a fishing rod' levels of intervention.

09:02 AM - 10 Jul 2018

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Reports from the scene said that those in charge of the rescue told reporters, "Although his technology is good and sophisticated, it's not practical for this mission."



Claire Phipps

@Claire_Phipps

BuzzFeed News

People Really Aren't Here For Elon Musk's Rescue Submar

09:00 AM - 10 Jul 2018

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Musk, his submarine, and the rejection became a meme.



@maxuthink

09:14 AM - 10 Jul 2018

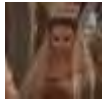
↩ Reply ↻ Retweet ★ Favorite

 elon musk tweeting about the cool submarine he's building to rescue the kids while people are actually going into the cave and rescuing the kids, surely the most elon musk thing to happen @jrhennessy

elon musk tweeting about the cool submarine he's building to rescue the kids while people are actually going into the cave and rescuing the kids, surely the most elon musk thing to happen

10:06 PM - 08 Jul 2018

← Reply ↻ Retweet ★ Favorite




sarah m
@sazza_jay

live footage of elon musk leaving thailand

08:36 AM - 10 Jul 2018

← Reply ↻ Retweet ★ Favorite

Yeah, people weren't impressed.

 just want to make it clear that if i'm ever trapped miles deep in a flooded cave and elon musk's oculus equipped tomb is the only way to save me just leave me down there. just let me go @immolations

i just want to make it clear that if i'm ever trapped miles deep in a flooded cave and elon musk's oculus equipped tomb is the only way to save me just leave me down there. just let me go

09:15 AM - 10 Jul 2018

BuzzFeed News

People Really Aren't Here For Elon Musk's Rescue Submar



popular comedy account "the pixelated boat"
@pixelatedboat

Elon Musk: ... and this dial here controls the mood lighting, for when I'm having sex with Grimes in the submarine Reporter: How will that help free the trapped children? Elon Musk: What children?

03:23 AM - 09 Jul 2018

← Reply ↻ Retweet ★ Favorite




Bea_ker

09:53 AM - 10 Jul 2018

← Reply ↻ Retweet ★ Favorite

On Tuesday, the team was successfully rescued from the cave.

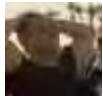
 elon musk when the kids get out of the cave: **illy bocean**
@IllyBocean

elon musk when the kids get out of the cave:

05:59 AM - 09 Jul 2018

← Reply ↻ Retweet ★ Favorite

In fairness to Musk, he gave credit where credit was due and even congratulated the rescue team when the soccer team had been freed.

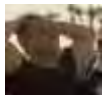
 **Elon Musk**
@elonmusk

@2morrowknight Thanks, but we've not done anything useful yet. It is all other people.

11:16 PM - 08 Jul 2018

BuzzFeed News

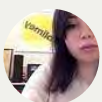
People Really Aren't Here For Elon Musk's Rescue Submar

 **Elon Musk**
@elonmusk

Great news that they made it out safely. Congratulations to an outstanding rescue team!

12:33 PM - 10 Jul 2018

← Reply ↻ Retweet ★ Favorite



Rachael Krishna is a reporter for BuzzFeed News and is based in London.

Contact [Rachael Krishna](mailto:rachael.krishna@buzzfeed.com) at rachael.krishna@buzzfeed.com.

Exhibit 37
Page 645

EXHIBIT 38

EXHIBIT 38

Elon Musk Didn't Help Save The Thai Boys. Now He's Attacking Someone Who Did.

"Sorry pedo guy, you really did ask for it," the billionaire wrote on Twitter.

By Remy Smidt

Last updated on July 16, 2018, at 5:47 a.m. ET

Posted on July 15, 2018, at 11:16 a.m. ET

Elon Musk is attacking a diver who helped rescue a group of teenage boys from a Thai cave last week after the rescuer criticized Musk's mini submarine, which he designed to help with the mission.



Lucy Nicholson / Reuters

British diver Vern Unsworth called Elon Musk's submarine rescue

BuzzFeed News

Elon Musk Didn't Help Save The Thai Boys. Now He's Attacking Someone Who Did.

Exhibit 38
Page 648



Quoth the Raven

@QTRResearch

Cave rescuer on Musk: "It was a PR stunt. It had no chance of working."



17.3K 7:33 PM - Jul 13, 2018

6,643 people are talking about this

@QTRResearch / Twitter

In an interview with CNN, Unsworth described Musk's mini submarine as useless and as nothing more than a grab for attention.

He also said the billionaire was asked to leave the cave.

"It just had absolutely no chance of working. He had no conception of what the cave passage was like. The submarine, I believe, was about 5-foot-6 long, rigid, so it wouldn't have gone round corners or round any obstacles," Unsworth said.

"It wouldn't have made the first 50 meters into the cave from the dive start point. It was just a PR stunt."

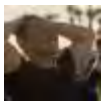
Unsworth played an important role in the dangerous mission and helped to connect British experts and Thai authorities

He was a key member of the team because of his thorough knowledge of the cave system, which he spent six years navigating, CNN reported. He also has been involved in smaller cave rescue missions in the UK, and he advised local authorities to bring on a team of expert divers.

"It was a race against time," he told CNN. "They needed world-class divers and that's what we got."

The boys were found only 200 meters away from the location where Unsworth predicted they'd be; it was "probably around about the best place they could have been," he told the news outlet.

After the interviewer noted that Musk personally visited the cave, Unsworth replied, "And he was asked to leave very quickly. And so he should have been." Musk left his mini submarine there.



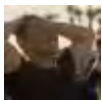
Elon Musk
@elonmusk

Just returned from Cave 3. Mini-sub is ready if needed. It is made of rocket parts & named Wild Boar after kids' soccer team. Leaving here in case it may be useful in the future. Thailand is so beautiful. <https://t.co/EHNh8ydaTT>

10:05 PM - 09 Jul 2018

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After the complicated rescue mission started, Musk shared footage of his mini submarine in action on Twitter. The plan was for one boy to be placed inside at a time and be transported to safety.



Elon Musk
@elonmusk

08:55 PM - 08 Jul 2018

Reply Retweet Favorite

Unsworth's comments did not sit well with Musk. He fired back on Sunday morning, saying that he never saw Unsworth and was never asked to leave.

@elonmusk / Via Twitter: @elonmusk

Musk then responded to a tweet that contained excerpts from a New York Times op-ed by Zeynep Tufekci titled "What Elon Musk Should Learn From the Thailand Cave Rescue."

He called Unsworth a "dude" and challenged him.


@elonmusk / Via Twitter: @elonmusk

Unsworth now says he is considering legal action over the comments.

He told The Guardian: "I believe he's called me a pedophile. I think people realise what sort of guy [Musk] is."

Asked if he would take legal action, he said: "Yes, it's not finished."


Plenty of people took issue with the billionaire's baseless accusation that the man who helped with the complicated cave is a pedophile:

 @elonmusk @zeynep Please delete that. Calling someone pedo is not cool **Magnus T**
@magtroylive

@elonmusk @zeynep Please delete that. Calling someone pedo is not cool

02:15 PM - 15 Jul 2018

Reply Retweet Favorite

 @elonmusk @zeynep Elon you should try inventing a device that prevents you from using Twitter **The Glare**
@TheGlare_TM

@elonmusk @zeynep Elon you should try inventing a device that prevents you from using Twitter



Kumail Nanjiani
@kumailn

He didn't just call the British rescuer in Thailand a pedophile. He called him a pedophile because he couldn't imagine another reason for a white guy to be in Thailand. Which is a false assumption. Sometimes white guys visit Thailand to show off their useless submarines.

08:48 PM - 15 Jul 2018

Reply Retweet Favorite

But Musk responded directly to the criticism by doubling down on his comment:

@elonmusk / Via Twitter: @elonmusk

He also responded to someone who called his mini submarine "absurd."

@elonmusk / Via Twitter: @elonmusk

And wrote that his submarine device was sourced expertly on the internet with "experienced cave experts."

@elonmusk / Via Twitter: @elonmusk

Eventually, though, Musk deleted the tweets, including the one calling the cave diver a "pedo."



Dear Elon Musk, you can't delete all the screenshots we took. **Glengarry Glenn Danzig**
@totallynuanced

Dear Elon Musk, you can't delete all the screenshots we took.

08:53 PM - 15 Jul 2018

Reply Retweet Favorite

Last week, Musk released correspondence between him and one of the British divers involved in the complicated rescue mission, Richard Stanton. Stanton wrote that it was "absolutely worth continuing with the development of this system."

This release of communications followed heavy criticism of Musk's plan, and the man, who directed the rescue mission, saying that the billionaire's design "doesn't fit with our mission to go in the cave."

In a tweet that has since been deleted, Musk brought up Stanton once again on Sunday:

@elonmusk / Via Twitter: @elonmusk

Neither Unsworth nor a representative for Tesla immediately responded to requests for comment from BuzzFeed News.



Remy Smidt is a reporter with BuzzFeed News and is based in New York.

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EXHIBIT 39

EXHIBIT 39

TECH

Elon Musk Has Revisited His Baseless Pedophile Claims

"You don't think it's strange he hasn't sued me?"

By Ryan Mac

Last updated on August 29, 2018, at 6:30 a.m. ET

Posted on August 28, 2018, at 2:01 p.m. ET



Peter Parks/AFP / Getty Images

Tesla and SpaceX CEO Elon Musk is making life difficult for himself on Twitter again. Days after picking up the pieces from a failed bid to take his electric car manufacturer private — an attempt seemingly initiated by an ill-advised tweet — the billionaire revisited a groundless accusation he made about a private citizen involved in a child-rescue operation that caught the world's attention.

Back in July, Musk was forced to apologize after facing widespread condemnation for calling a British diver, who had criticized his attempts to aid a cave rescue effort in Thailand, a “pedo” on the social media site. On Tuesday, in a chain with several Twitter users, including the author of this story, Tesla’s CEO revisited the claim, asking an individual whether they had investigated the pedophile claim leveled against the diver, Vern Unsworth.

While Tesla’s board members have reportedly asked Musk to stay off Twitter and focus on building cars and running his company, the 47-year-old tech luminary seems to have disregarded their guidance resurrecting a possibly defamatory remark for which he had already apologized.

A Tesla spokesperson declined to comment.

Tuesday’s back-and-forth began with Musk responding to a tweet about a previous interview he had given to the New York Times, in which he allegedly cried and detailed how difficult the last few months have been for him. In a tweet, however, Tesla’s CEO denied that he had shed any tears.

“For the record, my voice cracked once during the NY Times article,” he wrote. “That’s it. There were no tears.”

In the discussion that followed, Drew Olanoff, a former technology reporter who goes by the name @Yoda on Twitter, joked about Musk’s defense of himself. In a follow-up message, Olanoff suggested that Musk would be more believable had he been more dedicated to the truth before accusing someone of being a pedophile with no evidence.

And that’s when Musk suggested the pedophilia accusation wasn’t baseless at all.



Replying to @yoda @RMac18 @TijenOnaran

You don't think it's strange he hasn't sued me? He was offered free legal services. And you call yourself @yoda ...

9:41 AM - 28 Aug 2018

46 Retweets 333 Likes



93 46 333

Twitter / Via Twitter.com

“You don’t think it’s strange he hasn’t sued me?” Musk responded, suggesting that Unsworth’s lack of legal action against him was a red flag. “He was offered free legal services.”

“Did you investigate at all?” he said in a follow-up tweet to Olanoff. “I’m guessing answer is no. Why?”

Olanoff, who told BuzzFeed News that he stood by the point he made, fired back barbs of his own.

“i think a lot of things are strange, elon,” he wrote. “what i think is especially strange here is that you're wondering why he hasn't sued you while the rest of us are wondering why you did something so egregious that he could sue you for in the first place.”

Other reporters, including the author of this post, also tweeted at Musk, asking about his suggestions to investigate the baseless claims. The Tesla CEO did not respond to any of those tweets, but did note that Olanoff should be “a truth-seeker” because of his Twitter name,

@yoda. It's unclear what truths Musk was referring to.

Beyond pondering why a private citizen has yet to sue him, Musk has plenty of other issues on his hands. The Securities and Exchange Commission is reportedly investigating Musk for his botched attempt to take Tesla private, while the company is now facing several shareholder lawsuits over the matter. What's more, its top communications executive is leaving after a year that's been riddled with scandals, missed production goals, and unexpected tweets from the company's CEO.

Speaking to Sky News on Wednesday, Unsworth said he couldn't comment on the matter for legal reasons, but said: "It's all being dealt with, that's all I can say."

UPDATE

August 28, 2018, at 3:17 p.m.

The story has been updated with a comment from Drew Olanoff.

TOPICS IN THIS ARTICLE

Twitter



Ryan Mac is a senior tech reporter for BuzzFeed News and is based in San Francisco.

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Got a confidential tip? [Submit it here](#).

EXHIBIT 40

EXHIBIT 40

TECH

The Cave Rescuer Elon Musk Called A "Pedo" Has Lawyered Up And Is Preparing A Libel Claim

"You published through three different tweets to your twenty-two million followers that Mr. Unsworth engages in the sexual exploitation of Thai children, and you did so at a time when he was working to save the lives of twelve Thai children."

By Ryan Mac

Last updated on August 29, 2018, at 12:15 p.m. ET

Posted on August 29, 2018, at 10:39 a.m. ET



David Paul Morris, Getty Images

A British man, who Elon Musk called a "pedo" on Twitter, has retained legal counsel and is "preparing a civil complaint for libel" against the Tesla CEO, according to a letter viewed by BuzzFeed News. The letter

appears to contradict a claim Musk made on Twitter on Tuesday that he had yet to see any legal repercussions from his allegations, and

A lawyer for Vernon Unsworth, a UK citizen who was instrumental in the rescue of 12 children trapped in a cave in Thailand, sent Musk a letter earlier this month notifying him of a possible lawsuit, after the Tesla chief's outburst against his client in July. Musk previously made the allegations against Unsworth without any evidence, before issuing an apology and deleting the offending tweets.

On Tuesday, the Tesla and SpaceX founder reignited the controversy on the social network by suggesting that Unsworth's lack of legal action against him constituted something suspicious and that his original allegation of pedophilia should be investigated. BuzzFeed News, however, confirmed that Unsworth retained legal representation and sent Musk a letter dated Aug. 6 detailing a possible lawsuit for the "false and defamatory statements."

"You published through three different tweets to your twenty-two million followers that Mr. Unsworth engages in the sexual exploitation of Thai children, and you did so at a time when he was working to save the lives of twelve Thai children," writes Unsworth's lawyer L. Lin Wood, an Atlanta-based defamation expert. "You did so without any basis. According to a subsequent Twitter post, you did so out of anger."

The possible lawsuit highlights the dangers that Musk could face for his increasingly erratic behavior on Twitter, which has landed him in hot water on multiple occasions in 2018. Earlier this month, Musk unexpectedly tweeted that he was exploring the possibility of taking Tesla private and that he had "funding secured" to do so, igniting a public market frenzy. The bid ultimately went nowhere, and the Securities and Exchange Commission is now reportedly investigating Musk and Tesla over the bizarre sequence of events.

“Have you actually done any research at all?” he wrote. “For example, you incorrectly state that he is a diver, which shows that you know essentially nothing and have not even bothered to research basic facts.”

BuzzFeed News confirmed with a source familiar with Unsworth that the cave rescuer has diving experience and maintains all the necessary diving equipment.

August 6, 2018

VIA FEDEX & ELECTRONIC MAIL

Mr. Elon Musk


RE: Defamation of Vernon Unsworth

Dear Mr. Musk:

I have been retained by Vernon Unsworth to represent his interests in connection with the publication on your Twitter account of false and defamatory statements conveying that Mr. Unsworth is a pedophile. More specifically, you published through three different tweets to your twenty-two million followers that Mr. Unsworth engages in the sexual exploitation of Thai children, and you did so at a time when he was working to save the lives of twelve Thai children. You did so without any basis. According to a subsequent Twitter post, you did so out of anger.

I am in the process of preparing a civil complaint for libel against you. In an attempt to avoid litigation and to see the public record corrected, I invite you or your legal representatives to contact me.

Sincerely,



L. Lin Wood

cc: Mr. Vernon Unsworth
Mark Stephens, CBE, Howard Kennedy LLP

A copy of the letter sent to Musk's Los Angeles home from L. Lin Wood, a lawyer representing British diver and cave rescuer Vernon Unsworth.

L. Lin Wood

A Tesla spokesperson did not immediately respond to a request for comment. A representative for Wood also did not immediately respond to a request for comment.

Unsworth did not respond to BuzzFeed News' request for comment. Reached by Sky News on Wednesday, he told the British news outlet

"it's all being dealt with, that's all I can say."

BuzzFeed News

The Cave Rescuer Elon Musk Called A "Pedo" Has Lawyers

Exhibit 40
Page 665

Musk's spat with Unsworth began last month, after the British diver and spelunker dismissed Musk's attempt to build a submarine to rescue Thai boys trapped in an underwater cave as a publicity stunt in an interview. Following that, Musk took to Twitter to suggest that Unsworth was in Thailand to engage in the sexual exploitation of minors and then directly called him a "pedo guy." In a third tweet, he told another Twitter user that he'd "bet a signed dollar it's true." All three of those tweets were eventually deleted, with Musk tweeting out an apology in July stating "his actions against me do not justify my actions against him."

In interviews with other outlets, Unsworth was not clear if he would pursue action against Musk. His lawyer's letter from earlier this month is the clearest indication that he is seriously considering a lawsuit if Musk does not move to "see the public record corrected."

It's unclear if Musk has seen the letter, which was sent to his Los Angeles home, but on Tuesday he wrote in an argument with another Twitter user that it was odd that Unsworth had not sued him yet, suggesting that the British man would have done so if there was an allegation worth pursuing.

"You don't think it's strange he hasn't sued me?" he wrote. "He was offered free legal services."

"Did you investigate at all?" Musk continued in another tweet, asking the other Twitter user if he'd taken the time to investigate the previous, groundless allegations that he had made against Unsworth. "I'm guessing answer is no. Why?"

UPDATE

August 29, 2018, at 12:15 p.m.

The story has been updated with a comment from Tesla CEO Elon

Musk.



Ryan Mac is a senior tech reporter for BuzzFeed News and is based in San Francisco.

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Got a confidential tip? [Submit it here](#).